

KEWEENAW BAY INDIAN COMMUNITY

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

2016 TRIBAL COUNCIL

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

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

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – OCTOBER 8, 2016 – 10:00 A.M.**

APPROVED
11-10-16

- A. Date: October 8, 2016
- B. Call to Order: President Swartz called the meeting to order at 10:06 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Susan J. LaFernier, Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr.
Eddy Edwards
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
- Absent: Toni J. Minton, Assistant Secretary
Fred Dakota
Donald Shalifoe, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 8, 2016
- Addition: Vice President's Report/September 2016

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

G. For Your Information:

1. A "Thank you" from Dean Butala for the plant, veggie tray, and Christmas Check advance
2. A "Thank you" from the Bad River Department of Social & Family Services
3. A "Thank you" from the Special Olympics
4. A "Thank you" from Lisa Kempka (& Rippi) of Advance America
5. A "Thank you" from Jay Merrill, President of the International Association of Machinists & Aerospace Workers
6. A "Thank you" from Richard Stonestrom, President of the Spinal Cord Society
7. A "Thank you" from Vienna Chapin, Co-Chair of the Parade of Nations Committee
8. A "Thank you" from Jim LaJoie, Executive Director of the Superior Health Foundation
9. Voigt Intertribal Task Force Meeting Minutes July 28, 2016 Carlton, Minnesota
10. Notification of Approved Enrollment Applications August 23, 2016 (4)
11. Tribal Consultation Meeting Schedule with the Department of the Interior, Department of Justice, Department of the Army, and other Federal Agencies on future Infrastructure Decisions throughout the Country
12. BIA Annual Review of the Social Services and Community Assistance Programs under the Consolidated Tribal Government Program(s) (CTGP) Contracts
13. Intertribal Agriculture Council Membership Dues and Recruitment
14. U.S. Department of the Interior Indian Water Rights Settlements – 2016 Tribal Consultation
15. Violet Friisvall Ayres and NAS 310 Tribal Law and Government Students (Introduction)

President Swartz will entertain a question and answer period with the students after today's business.

H. President's Report/September 2016 – Verbal Report

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SEPTEMBER 2016 PRESIDENT'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

I. Vice President's Report/September 2016 – Verbal Report

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE SEPTEMBER 2016 VICE PRESIDENT'S REPORT. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

J. Secretary's Report/September 2016 – available for your review

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE SEPTEMBER 2016 SECRETARY'S REPORT. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

K. CEO's Report/September 2016 – available for your review

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SEPTEMBER 2016 CEO'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

L. Department Head Reports/August 2016

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AUGUST 2016 DEPARTMENT HEAD REPORTS. CO-SUPPORTED BY SUSAN J. LAFERNIER AND RANDALL R. HAATAJA. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Gary F. Loonsfoot, Sr.), ONE OPPOSED (Michael F. LaFernier, Sr.), ONE ABSTAINING (Robert R.D. Curtis, Jr.), THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

Michael LaFernier, Sr. stated his opposition: He is opposed because all of the reports are not turned in.

M. Recognize Scheduled Delegation/Individuals:

1. Sandy Carlson –

- a) Marquette Seniors Christmas Party – a survey will be conducted during the Christmas Check disbursements in Harvey to ask the Seniors if they would prefer a gas card or a dinner party.
- b) Harvey Plowing Concerns – The salting has helped and it was stated that the Marquette Casino Maintenance has started a midnight shift to cover plowing through the winter months.
- c) Life Insurance for Members – a \$5,000 benefit is available for each member and the Tribe is the beneficiary.

N. New Business:

1. Diana Chaudier, Election Board Chair – Approval of Candidates

Baraga District (9): Donald Shalifoe, Sr. (Inc), Robin Chosa, Alden Connor, Daniel Connor, Ronald Edwards, Hope Laramore, Rodney Loonsfoot, Elizabeth D. Mayo, and Donald Messer, Jr.

L’Anse District (3): Michael F. LaFernier, Sr. (Inc), Lyndon Ekdahl, and Gary Loonsfoot, Jr.

Associate Judge (1): Violet M. Friisvall-Ayres

The 2016 Primary Election will be held on November 5, 2016 for the Baraga District only. The General Election to be held on December 17, 2016 will be for the L’Anse and Baraga Districts candidates and the Associate Judge Position.

(Per Election Ordinance 2008-04 Section Five 22.502 3. In the event that the number of Candidates in a District for any Office does not exceed twice the number of Offices to be filled, a Primary Election shall not be held for those Offices.)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE CANDIDATE NAMES FOR THE COUNCIL AND ASSOCIATE JUDGE. SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Gary F. Loonsfoot, Sr.), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Michael F. LaFernier, Sr.), THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

2. Doreen Blaker, Treasurer - Donations/October 2016 \$750.00

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE OCTOBER 2016 DONATIONS AS THE FOLLOWING: \$500.00 TO THE BAY CLIFF HEALTH CAMP AND \$250.00 TO LITTLE BROTHERS FRIENDS OF THE ELDERLY. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

Question and answer period with NAS 310 Tribal Law and Government Students.

O. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 11:50 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – OCTOBER 8, 2016 – 10:00 A.M.

A. Date: October 8, 2016

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

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

E. Declaration of Quorum:

F. Approval of Agenda: October 8, 2016

G. For Your Information:

1. A "Thank you" from Dean Butala
2. A "Thank you" from the Bad River Department of Social & Family Services
3. A "Thank you" from the Special Olympics
4. A "Thank you" from Lisa Kempka (& Rippi) of Advance America
5. A "Thank you" from Jay Merrill, President of the International Association of Machinists & Aerospace Workers
6. A "Thank you" from Richard Stonestrom, President of the Spinal Cord Society
7. A "Thank you" from Vienna Chapin, Co-Chair of the Parade of Nations Committee
8. A "Thank you" from Jim LaJoie, Executive Director of the Superior Health Foundation
9. Voigt Intertribal Task Force Meeting Minutes July 28, 2016 Carlton, Minnesota
10. Notification of Approved Enrollment Applications August 23, 2016 (4)
11. Tribal Consultation Meeting Schedule with the Department of the Interior, Department of Justice, Department of the Army, and other Federal Agencies on future Infrastructure Decisions throughout the Country

12. BIA Annual Review of the Social Services and Community Assistance Programs under the Consolidated Tribal Government Program(s) (CTGP) Contracts
13. Intertribal Agriculture Council Membership Dues and Recruitment
14. U.S. Department of the Interior Indian Water Rights Settlements – 2016 Tribal Consultation
15. Violet Friisvall Ayres and NAS 310 Tribal Law and Government Students (Introduction)

H. President's Report/September 2016

I. Secretary's Report/September 2016

J. CEO's Report/September 2016

K. Department Head Reports/August 2016

L. Recognize Scheduled Delegation/Individuals:

1. Sandy Carlson –
 - a) Marquette Seniors Christmas Party
 - b) Harvey Plowing Concerns
 - c) Life Insurance for Members

M. New Business:

1. Diana Chaudier, Election Board Chair – Approval of Candidates for the 2016 Primary Election on November 5, 2016
2. Doreen Blaker, Treasurer - Donations/October 2016

N. Adjournment:

KEWEENAW BAY INDIAN COMMUNITY
TRIBAL COUNCIL

September 2016 Report from the Secretary to the Council/Community
(for the October 8, 2016 Regular Meeting at Harvey)

ANIN! We honor the greatness in you

Remember: "Indian Country Counts"

"Our People, Our Nations, Our Future"

We continue to recognize the richness of Native American contributions, accomplishments, and sacrifices to the political, cultural, and economic life of Michigan and the United States

Mino-Bimaadizin "Live Well"
Respectfully, Susan J. LaFernier

The Tribal Council held the Regular Saturday Meeting on September 10, 2016. (2) Special Council meetings were held on September 15 and 29, 2016. (3) Finance/Special Council Meetings were also held on September 26, 27, 28, 2016. Following are the September 10, 15, and 26, 2016 unapproved minutes. This report will be published in the KBIC "Wiikwedong Dazhi-Ojibwa" newsletter and the approved minutes can also be found on the Keweenaw Bay Indian Community Website.

September 10, 2016 Special Council Meeting (unapproved):

- Approved the Tribal Council Vice President's Report
- Approved the Tribal Council Secretary's July-August 2016 Report
- Approved the June-July 2016 Department Head Reports
- Approved the August 18, 2016 Tribal Council Meeting Minutes
- Approved the Enterprise Systems Group Support Renewal Agreement for the Health Clinic for \$16,238.00
- Approved the Greenway Health Mediadent software and training for the Health Clinic for \$3,000.00
- Approved the Keweenaw Bay Ojibwa Community College Memorandum of Agreement for 3 years with the changes
- Approved Resolution KB 053-2016 Monique R. Jondreau Residential Lease

- Approved the Baraga County Convention and Visitors Bureau 2016 Membership Fee in the amount of \$125.00 to be paid from the Ojibwa Casino and that they attend the meetings
- Approved the September 2016 donations as the following: \$500.00 Special Olympics match, \$250.00 Superior Health Foundation “Paint the Peninsula Pink in Marquette,” \$260.00 Mike Hazen, Sr. Memorial Golf Scramble
- ~~2nd and 3rd Reading:~~ Approved the proposed amendment to ordinance 2016-05 Title One Provisions of the Tribal Code Section 1.203 Tribal Prosecuting Attorney Qualifications with the typographical change

September 15, 2016 Special Council Meeting (unapproved):

- Approved the August 25 and September 6, 2016 Tribal Council Minutes
- Approved the Enterprise Systems Group Support Renewal Agreement for the Health Clinic for the corrected cost of \$17,145.00
- Approved the “Jimiganish Wadokaged” liquor license renewal October 3, 2016 – October 2, 2017
Approved Gerald Jondreau’s business license renewal for “Traditional Treasures” August 18, 2016 – August 17, 2016
- Approved the Natural Resources Department Biological Services Subcontract with Great Lakes Indian Fish and Wildlife Commission for \$44,085.55 August 1, 2016 – December 31, 2016
- Approved the First Amendment to the Altronex Control Systems Tier III Services Agreement for \$32,906.00 which adds another production well and head tank at the Natural Resources Fish Hatchery
- Approved the Memorandum of Agreement with the Michigan Department of Natural Resources for \$20,000.00 for Wild Rice Beds Establishment
- Approved Shayne Foucault’s donation request for a team sponsorship to the 2nd Annual Mike Hazen, Sr. Memorial (4) Person Golf Scramble
- Approved the Tier III Services Agreement for SuperiorRX, Inc. with Michael McLucas for fill-in pharmacy services June 6, 2016-July 6, 2017

- Approved the Assistant Tribal Attorney Employment Agreement with Roberto Escobar
September 19, 2016 – September 20, 2017
- Approved the KBIC Newsletter Editor Services bid to Lauri Denomie
- Approved the First Amendment to the MJO Contracting, Inc. Agreement (Ford Farm Road paving)
- Approved to offer the Ojibwa Casinos General Manager position to Don Wren and negotiate the wage

September 26, 2016 Finance/Special Council Meeting (unapproved):

- Reviewed 16 Budgets
- Approved Resolution KB 054-2016 Revised Land Acquisition of the Van Straten Property on the Indian Cemetery Road for \$55,000.00

KEWEENAW BAY INDIAN COMMUNITY

2016 TRIBAL COUNCIL

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

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

ROBERT "R.D." CURTIS, JR.
FRED DAKOTA
EDDY EDWARDS
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
DONALD SHALFOE, SR.

October 8, 2016

Report to the Tribal Council regarding the "Beartown Firefighters Relief Fund"

The Relief Account was established for the fundraising efforts and donations received to assist the families of the deceased and injured Beartown Firefighters.

As of October 7, 2016 the total amount donated was \$37,704.96. The Beartown Firefighters, their families and the Tribal Council expresses their sincere thank you to everyone to donated and sent well wishes, it is so appreciated that words can not explain.

All 9 families involved have been given gift cards for gas, food, clothing and other needs have been paid. We will continue to give out the cards on a weekly basis. A meeting was held with the deceased and injured firefighters on Friday, October 7, 2016 to explain the funds that were still available for the coming months and to help with paperwork that still needs to be filed.

Thank you to everyone who has helped in any way since the accident, your help will not be forgotten. Continue to remember our firefighters and their families in your prayers and support.

~Susan J. LaFerner
Tribal Council Secretary

LAKE SUPERIOR BAND OF CHIPPEWA INDIANS

"Home of the Midnight Two-Step Championship"

KEWEENAW BAY INDIAN COMMUNITY – CEO'S OFFICE



INTEROFFICE MEMORANDUM

TO: TRIBAL COUNCIL
FROM: LARRY DENOMIE III, CEO 
DATE: OCTOBER 7, 2016
RE: MONTHLY REPORT FOR AUGUST/SEPTEMBER 2016

During the months of August/September 2016, the CEO's office reports the following:

- The Tribe will be providing life insurance coverage for all of its enrolled members regardless of where they live. The policy provides up to a \$5,000 benefit to cover funeral costs and will be administered by the Tribe. There is no cost to the member for the benefit and replaces the current coverage provided to members being served locally. The tentative effective date is November 1, 2016, pending approval of the policy plan by Tribal Council. Until the plan is approved, the coverage available to members locally will continue to be provided.
- The Tribal Forester position has been filled and Jason Collins began filling the role recently. Jason's office is located in the Tribe's Planning and Development building located on US41 in Baraga.
- The Tribe's Social Services department is under new leadership. Tyler Larson is serving as the director and comes with well rounded experience. Two new case workers have been hired as well and are participating in training. A third new case worker position has been posted due to Thruza Mathes resignation being tendered the end of September. That position is expected to be hired in the next two weeks.
- The search for a second attorney for the Tribe has ended. Roberto Escobar has been hired as the Assistant Tribal Attorney and is on the job. The Tribe is still down one attorney and the search continues. In the mean time, David Green of the Dorsey and Whitney law firm out of Minneapolis, MN is assisting by providing two weeks of on-site legal services per month.
- Bruce LaPointe who has served as the Tribe's Project Manager has resigned. Bruce lead the Department of Public Works and provided building inspection services for the Tribe. His

position will not be filled. The responsibilities have been absorbed within other positions within the department and Jason Ayres is handling the BIA Roads administration. A posting for a building inspector is up and will take up the inspection responsibilities.

- The former Smoke Shop facility in L'Anse has been leased to KBIC member Angela Kelly. She has opened the Sweet Grass Spa and is providing salon and nail services.
- Members who live in Baraga County as well as areas in eastern Ontonagon County, southern Houghton County, and western Marquette County and utilize LaCourt Bottle Gas Co. for their LP heating source will receive a guaranteed rate of \$1.10/gallon during the period of November 1, 2016 through May 31, 2017. The Tribe has contracted with LaCourt to secure the pricing for members.
- An Indian Community Development Block Grant has been awarded to the Tribe in the amount of \$600,000. The grant is slated to construct or purchase a building to provide a half-way house for longer term treatment programming. Staff are working on options for locating the facility as well as developing operational plans. The three year grant requires a \$200,000 match by KBIC which will be met through a variety of non-cash methods.
- We are continuing to work on the tobacco manufacturing concept. A number of meetings have taken place with our partnering company to work on the details of the initial agreement. We are at a point where Council will consider whether or not moving forward is in the best interest of the Tribe and that decision is expected next week.
- Nearly the entire month of September has been consumed with preparing and reviewing the Fiscal Year 2017 budgets. Submissions by each department and business of the Tribe have been gone through and finalizing is expected within the next two weeks.
- A new casino General Manager has been hired. After interviewing and offering the position to a candidate in August, the individual in the end declined. Council then underwent the process again and the individual selected will begin working on October 10. Donald Wren has an extensive background in the casino industry and has worked at larger properties in Las Vegas as well as lower Michigan. Donald will oversee both casinos but be based in Marquette. His experience will also assist in leading the revised casino projects approved by the membership in August.
- The updated Global Market Advisors study was received in mid-September. The study included updated financial information, a Marquette hotel assessment, and a branded hotel recommendation.

The updated financials support the debt that will be incurred to complete the two projects with a guaranteed maximum price tag of \$40 million.

The hotel assessment indicated that room demand in the market would support the 100 room hotel planned for the revised Marquette casino project. It also provided a recommendation that the Tribe brand with Choice Hotels International based on lower

upfront costs as well as long term and ongoing franchise costs. Choice Hotels and Carlson Group were the two brands considered. Tribal Council agreed with the recommendation and the application to move forward with Choice Hotels has been filed.

- The formal contract with Gundlach Champion Inc. was also completed and approved in September. GCI will be leading the project for the Tribe and working within the GMP. Both projects will see work begin yet this year.

The Marquette project is slated to have the new townhouses, infrastructure installed, and three housing homes relocated before winter sets in. Work on the casino itself likely won't officially get underway until the spring of 2017. Design and engineering work will take place throughout the winter months.

The Baraga project will also see some work this fall. Contractors have already begun working on site assessments and if winter holds off, ground work may commence. Plans are also being worked on to address numerous infrastructure and structural issues within the current facility. Design and engineering work will also take place for the Baraga property throughout the winter months.

- In a final note, the annual Harvest Feast is schedule to take place on October 22 at the Zeba Hall in L'Anse. The feast will take place from noon until 6 p.m. and everyone is encouraged to bring a dish to pass.