

KEWEENAW BAY INDIAN COMMUNITY

2013 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
ELIZABETH D. MAYO, Vice-President
SUSAN J. LAFERNIER, Secretary
TONI J. MINTON, Assistant Secretary
JENNIFER MISEGAN, 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
JEAN JOKINEN
MICHAEL F. LAFERNIER, SR.
CAROLE L. LAPOINTE
ELIZABETH "CHIZ" MATTHEWS
DON MESSER, JR.

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – NOVEMBER 9, 2013 – 10:00 A.M.**

APPROVED
3-12-15

- A. Date: November 9, 2013
- B. Call to Order: President Swartz called the meeting to order at 10:00 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Jennifer Misegan, Treasurer
Robert R.D. Curtis, Jr.
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe
Elizabeth "Chiz" Matthews (left at 11:51 a.m.)
Don Messer, Jr. (arrived at 10:05 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 9, 2013
- | | | |
|------------|---|--|
| Additions: | Recognize Scheduled Delegation/Individuals- | 1. Pat Brown – Seniors
Christmas Dinner |
| | Old Business- | 2. Sandy Carlson
1. Carrie Ashbrook – Summer
Youth Program |
| | Closed Session- | 2. Adrian Abbott
3. Susan LaFernier – FYI
4. Jennifer Misegan – Attorney
Contract |

Don Messer, Jr. arrived at 10:05 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY CAROLE L. LAPOINTE. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

G. For Your Information:

1. A “Thank you” from the Family of Loretta Hugo
2. A “Thank you” from the Circle of Tribal Nations at Ferris State University for a KBIC Tribal Flag
3. A “Thank you” from the City of Marquette on the “*Mikwendaagozi – To be Remembered*” Project
4. A “Thank you” from the Special Olympics Michigan
5. Susan Hedman, United States Environmental Protection Agency - Letter dated November 4, 2013 - Clean Water Act program (CWA) eligibility Application dated May 21, 2013 has been determined to be complete and will be available for Public Comment. Once comments are addressed and any additional information is received, they expect to develop the Proposed Findings of Fact document, and following public notice and comment, will make their decision regarding the approval of the application.
6. April Lindala and NAS 310 Tribal Law and Government Students Introduction (Violet Friisvall Ayres’ Class)

H. President’s Report/October 2013 – Verbal Report

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE OCTOBER 2013 PRESIDENT’S REPORT. CO-SUPPORTED BY TONI J. MINTON AND MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

I. Secretary’s Report/October 2013 – available for your review

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE OCTOBER 2013 SECRETARY’S REPORT. SUPPORTED BY CAROLE L. LAPOINTE. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

J. Treasurer's Report/October 2013 -- available for your review

MOTION MADE BY TONI J. MINTON TO APPROVE THE OCTOBER 2013 TREASURER'S REPORT. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

K. CEO's Report/October 2013 -- available for your review [also available on ojibwa.com]

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE OCTOBER 2013 CEO'S REPORT. SUPPORTED BY JENNIFER MISEGAN. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

L. Department Head Reports -- September 2013

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SEPTEMBER 2013 DEPARTMENT HEAD REPORTS. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews), TWO OPPOSED (Michael F. LaFernier, Sr., Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

M. Recognize Scheduled Delegation/Individuals:

1. Pat Brown -- Seniors Christmas Dinner (Holiday Inn \$20 per plate = \$2,116.00)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE ADDITIONAL EXPENSES FOR THE MARQUETTE SENIOR CHRISTMAS MEAL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

N. Old Business:

1. Carrie Ashbrook -- Summer Youth Program Jobs for the youth in Marquette

The Marquette youth did not have summer 2013 jobs assigned because there was an issue with the background security checks not getting done. RD Curtis will start working early with OHA to find job placements and Larry Denomie will instruct Ron Hueckstaedt to begin earlier on the background checks.

[Recognize Scheduled Delegation/Individuals]

Marilyn Abbott and Pat Bawden addressed the Council regarding the Pinery Cemetery clean up in preparation of Memorial Day.

Susan LaFerner stated there is an area that cannot be disturbed or cleaned of leaves, etc. due to erosion and the Tribe is looking into building a wall to protect the area.

2. Sandy Carlson – Christmas Checks (Cigarette Revenue)

Sandy asked the Council the amount of this year's Christmas Checks and she wanted to know why the amount was less this year.

President Swartz explained the revenues are down, more people are quitting smoking, and in order for the Tribe to sell Marlboro brand cigarettes the State Tax must be charged.

O. New Business:

1. Jennifer Misegan, Treasurer – November 2013 Donations

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NOVEMBER 2013 DONATIONS AS THE FOLLOWING: \$5,000.00 TO TOYS FOR TOTS, \$200.00 TO THE BETHEL UNITED PENTECOSTAL CHURCH, \$350.00 TO THE BARAGA/L'ANSE ALUMNI BASKETBALL GAME, \$1,000.00 TO THE SALVATION ARMY IN ISHPEMING, \$500.00 TO THE BARAGA FIRE DEPARTMENT CHILDREN'S CHRISTMAS PARTY, AND \$1,000.00 FOR JOHN HELLYER'S CELL PHONE SERVICE. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Jean Jokinen stated her opposition: She is not opposed to the Tribal Member donations, but we can use this money however we like and I prefer it to go to tribal members.

P. Closed Session:

1. Marilyn Abbott – Housing Issues
2. Adrian Abbott –Housing Issue
3. Tony Rabitaille, Chairman Aanikoosing Inc. - Board of Directors Update to Council (Susan LaFerner – FYI-two subsidiary corporations under Aanikoosing, Inc. per the Business Corporation Code)
4. Jennifer Misegan – Attorney Contract

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:15 A.M. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 11:16 – 11:27 a.m.

Elizabeth Matthews left at 11:51 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:38 P.M. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.

Lindy Grell Attorney Contract -

MOTION MADE BY ELIZABETH D. MAYO NOT TO RENEW LINDY GRELL’S ATTORNEY CONTRACT AND TO LET IT EXPIRE AS OF DECEMBER 16, 2013. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFERNIER, Sr., Don Messer, Jr.), THREE OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe), ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.

Jean Jokinen stated her opposition: She feels no reprimands nor corrective actions were given and there are always two sides to every story and she believes it’s based on bias.

Jennifer Misegan stated: She does not appreciate a statement like that and it is not based on bias. The Council has met with her several times and there are lots of problems.

Q. Adjournment:

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO ADJOURN AT 12:40 P.M. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – NOVEMBER 9, 2013 – 10:00 A.M.

A. Date: November 9, 2013

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Elizabeth D. Mayo, Vice President
 ___ Susan J. LaFermier, Secretary
 ___ Toni J. Minton, Assistant Secretary
 ___ Jennifer Misegan, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Fred Dakota
 ___ Jean Jokinen
 ___ Michael F. LaFermier, Sr.
 ___ Carole L. LaPointe
 ___ Elizabeth "Chiz" Matthews
 ___ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: November 9, 2013

G. For Your Information:

1. A "Thank you" from the Family of Loretta Hugo
2. A "Thank you" from the Circle of Tribal Nations at Ferris State University for a KBIC Tribal Flag
3. A "Thank you" from the City of Marquette on the "*Mikwendaagozi – To be Remembered*" Project
4. A "Thank you" from the Special Olympics Michigan
5. Susan Hedman, United States Environmental Protection Agency - Clean Water Act Application Complete and available for Public Comment
6. April Lindala and NAS 310 Tribal Law and Government Students Introduction (Violet Friisvall Ayres' Class)

H. President's Report/October 2013

I. Secretary's Report/October 2013

J. Treasurer's Report/October 2013

K. CEO's Report/October 2013

L. Department Head Reports – September 2013

M. Recognize Scheduled Delegation/Individuals:

N. Old Business:

O. New Business:

1. Jennifer Misegan, Treasurer – November 2013 Donations

P. Closed Session:

1. Marilyn Abbott – Housing Issues
2. Tony Rabitaille, Chairman Aanikoosing Inc. - Board of Directors Update to Council

Q. Adjournment:

KEWEENAW BAY INDIAN COMMUNITY

TRIBAL COUNCIL

Susan J. LaFernier

October 2013 Report from the Secretary to the Council/Community

(for the November 9, 2013 Regular Meeting-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

A wonderful Fall season is upon us as we prepare for the snowy, cold season that is another part of the Seasons of our area!

A conference call was held on October 30th with our Natural Resource department personnel and EPA regarding the public notice for the comment period by the public and state for our Treatment as a State for water quality standards. KBIC will be the first Tribe in Michigan to receive this most important status hopefully in early 2014.

It is never too late to encourage and begin positive lifestyle changes that will help us live longer, healthier, happier lives. Mino-Bimaadizin "Live Well". Remember everyone should participate in at least 30 minutes of physical activity 5 times a week to stay fit. There is still time to get your flu shot.

NATIVE VOTE 2013 (every vote and voice counts). The October 22nd Secretarial Election was held and the decision regarding removing the Secretary of Interior from our Constitution-Article VIII Amendment A Amendments was duly rejected by a vote of 47 For and 131 Against. A total of 337 voters were entitled to vote per Jenevieve M. Gillett, Acting Superintendent of the B.I.A. Michigan Agency and Chairman of the Election Board for this election. The L'Anse-Baraga Primary Election was also held on November 2, 2013 and congratulations to the winners who now advance to the General Election to be held on December 14, 2013. Thank you to everyone who voted in these elections. We have not reached our goal for Keweenaw Bay to have 100% of our registered/eligible members vote! We have 818 eligible voters. 404 of the 669 registered voters, voted in the Primary Election and 149 are not registered.

Remember to continue to pray for each other, to honor, and remember all of our veterans and service men and women and their families. Also every day remember those who are ill, our economy struggles, and all who have lost loved ones during the past year. We pray that we and the world will be graced with the gifts of peace, love and joy...

Thank you for all that you do to keep our land the beautiful place it is and we thank you God and Creator for the great blessings of our land!

"Who does the land belong to?

*Some to those that have walked on, a little to those still living,
But most to those yet to be born."*

-Unknown

We wish everyone a blessed, Merry Christmas!

The Tribal Council held the Regular Saturday Meeting on October 5, 2013 at the Ojibwa Motel Conference Room. This meeting is reported in the November Tribal newsletter. (7) Special/Finance Council meetings were also held. Following are the unapproved motions for October.

October 3, 2013:

- Approved a motion to build the new Zeba Community Center at the Zeba Ball Field
- Approved the bid from Kirkish Furniture for the Baraga Casino carpeting
- Approved the sub-recipient agreement with the Aanikoosing, Inc. for the HUD Indian Community Development Block Grant (ICDBG) to purchase the gas tanks for Marquette
- Approved the Service Agreement with Orchard, Hiltz, and McCliment, Inc. OHM Nuclear Density Testing Services for the fish ladders (culverts) north of L'Anse
- Approved \$100,000.00 for travel/training in the General Fund for necessary travel and the CEO's office will administer the travel funds
- Approved to collaborate between the Health Center and the Substance Abuse Programs (New Day) to provide billing at the Health Center

October 9, 2013 : Michael Crump, President/Owner of Innovative Gaming Solutions Power Point Presentation: Marquette, Baraga Casinos and Gaming Commission Operations Evaluation

October 10, 2013:

- Approved the Emergency Medical Technology Loan Program
- Approved the Vocational Technical Student Guaranteed Loan Program and to check with the attorney regarding drug testing of applicants
- Approved the KBIC Request for Proposals for Ecologist Assistance with the KBIC Wildlife Management Plan (ANA Grant)
- Approved to table a request for the FY 2014 USGS Joint Funding Agreement for stream gauges on the Yellow Dog, Salmon Trout, and East Branch Salmon Rivers until Council can discuss with our Mining Consultant

- Approved the Entertainment Agreement with Carole K. Carver/Tiger Productions for the “Pressbox Fantasia Female Revue” on November 16, 2013
- Approved the Services Agreement with Mabel Lewis-Hill for language immersion services for one year
- Approved a Big Boat Commercial Fishing License to Tammy Seymour and to pro-rate the fee pending available tags

October 15, 2013 Special/Finance

- Approved the FY 2014 Budgets
- Approved a 3% raise for FY 2014 (clarification at a later date)

October 17, 2013

- Approved the September 27, 2012 Tribal Council meeting minutes
- Approved the KBIC Community Assistance Program (CAP) revised guidelines effective October 1, 2013
- Approved to suspend four committees: Economic Development Committee, Natural Resources Committee, Alcohol Advisory Board, and the Parks and Recreation Committee
- Approved the 3% raise for FY 2014 for all government and enterprise employees except those whose increases are identified in their contract or are serving in interim, temporary, or on-call positions, will be effective on their anniversary date. Employees hired on or after October 1, 2008 have an effective date of the month and day they were hired in their current position and employees hired prior to October 1, 2008 in their current position have an effective date of October 1st.
- Approved the motor vehicle title (application) fee from \$15.00 to \$22.00 to cover the cost of the title and duplicate title (cost of paper)
- Approved the changes and increases for license plates and registrations fees
- Approved the Hunting/Fishing/Trapping card fee increases
- Approved \$1,900.00 for this year’s Christmas Gift Check which will also be changed to be called the “Sovereignty Check”

- Approved the KBIC TERO Pre-Employment/Job Readiness Fund Policy with changes
- Approved the (Tier II) Services Agreement with Kirkish Furniture for the Baraga Casino carpeting
- Approved the USGS Joint Funding Agreement FY 2014 for the stream gauges on the Yellow Dog, Salmon Trout, and East Branch Salmon Trout Rivers
- Approved the MOA between KBIC and GLIFWC for their payment of the above stream gauges with USGS
- Approved the Tribal Council Secretary's Report for September 2013
- Introduced by motion proposed ordinance 2013-04 Tribal Code Title 20 Natural Resources Chapter 20B: KBIC Mining Moratorium and waived the reading
- Approved Cody Blue and Don Carlson as the alternates for the Election Board for the Primary and General elections and Lauri Denomie for the Primary Election
- Approved Resolution KB 1952-2013 Mark J. Misegan Recreational Lease
- Approved the Project Agreement with the Board of County Road Commissioners of Baraga for preliminary engineering services for the Wadaga Road and Tailor Road improvements
- Approved the Project Agreement with the Board of County Road Commissioners of Baraga for engineering and construction work for the replacement of the Skanee Road Bridge crossing the Ravine River
- Approved the Project Agreement with the Board of County Road Commissioners of Baraga for engineering and construction work for the replacement of two existing bridges crossing the Menge Creek
- Approved the Project Agreement with the Board of County Road Commissioners of Baraga for engineering and construction work for the replacement of culverts at Denomme Creek, Roubillard Creek, North Branch of Gomanche Creek and the South Branch of Gomanche Creek
- Approved the (Tier II) Services Agreement with L'Anse Furniture Mart for \$13,935.00 for the Head Start Building carpeting

- Approved an amendment to the (Tier II) Kirkish Furniture Services Agreement for the Baraga Casino carpeting
- Approved the bid from LaCourt Bottled Gas Company for a guaranteed price for the heating season November-May 2014
- Defeated a motion to uphold the Assistant CEO's termination decision-Government employee #004-13
- Approved to overturn the Assistant CEO's decision in the appeal of termination-Government employee #004-13, to reinstate her and give an additional 90 day probation period effective today
- Tabled the Youth Programs Activity Fund Guidelines until next Thursday's meeting
- Approved to offer the position of Marketing Manager for the Ojibwa Casino to Jackie Swartz

October 24, 2013

- Approved a request from Michael P. Lahti to remove his name from the Superior Auto Works 41 business license and a new license application will need to be filed
- Approved the consultant agreement with Mary Hindclang, Ph.D. to provide ecological consulting services for \$12,000.00 from the ANA Grant
- Approved the revised KBIC Youth Program Activity Fund Guidelines with the changes effective October 1st
- Approved to change the CAP Guidelines in the Applications Section: Tribal I.D.'s must match the address of the applicant (take out physical address)
- Approved Resolution KB 1954-2013 to gain VPN connectivity to the B.I.A.'s TAAMS (Trust Asset Accounting Management System) to access records pertaining to the lands and resources of the Tribe for official purposes (for J.Ayres, G. Jondreau, K. Marshall)
- Approved the (Tier II) Services Agreement with Fischer Biological Consulting LLC for walleye pond operations/site layout recommendations
- Approved the (Tier II) Services Agreement with Larson Well Drilling LLC for a walleye pond well
- Approved the Service Agreement with LaCourt Bottled Gas for a price protection rate of \$1.60 a gallon through May 31, 2014

- Approved the (Tier II) Services Agreement with Hope Works (Becky Panasiewicz) to establish an “Enablement Prevention Program” for \$25,200.00 to be paid from the Healing to Wellness Court grant
- Approved to separate the Casino General Manager positions: Dale Shalifoe will be the GM in Marquette and David Haataja will be the GM in Baraga. They will have to attend the KB OCC classes and David Haataja’s wage will be adjusted back to his prior wage with the yearly increases.
- Approved the letter to Millenium Services to terminate the services (Independent Contractor Agreement on November 28, 2013) and to have Charles Brumleve, Mining Consultant provide a list of current projects he is working on

October 31, 2013

- Approved the October 4, 6, 11, 18, 25, 2012 Tribal Council meeting minutes
- Approved the bid from Michigan Sales & Equipment, Inc. for a 5600 F-series Tool Cat for \$41,242.50 for the Transfer Station
- Approved the bid from Bobcat Plus, Inc. for the (5) tool cat attachments for \$17,775.67 for the Transfer Station
- Approved the bid from Bobcat Plus, Inc. for a E42 T4 Compact Excavator for \$46,548.60 for the Transfer Station
- Approved to remove the “Other Resources” line (regarding must use the LIHEAP) in the Tribal Elders Heating Assistance Program Guidelines and to revise the form
- Defeated a motion to remove the entire second paragraph from the CAP Guidelines page 1 Purpose (regarding what the program does not assist with)
- Approved to take out the “scheduled vehicle maintenance as identified in the owner’s manual” in the CAP Guidelines page 1 Purpose (will now be funded)
- Approved the (Tier II) Services Agreement with Rebecca Panasiewicz/Hope Works for a Positive Peer Group Counseling Program from the Tribal Court’s Healing to Wellness grant
- Approved to appoint James R. Bittorf to fill the vacancy of the Appellate Court Justice
- Approved the MOA with Keweenaw Bay Ojibwa Community College

- Approved a \$50.00 Pines card and up to \$3,000.00 for the Baraga Seniors Dinner and up to \$1,500.00 for the Marquette Seniors Dinner
- Approved to transfer Richard (Rick) Shalifoe from the DHHS building maintenance to the Department of Public Works where the maintenance personnel will rotate between the governmental offices
- Approved the Medicare Part D Plan implementation (by the DHHS Department prescription medication for those 65 and older)
- Approved the adjudication of Holley Makela
- Approved to uphold the CEO's decision in the Enterprise appeal of termination #005-13



Treasurer's Report

October 2013

Donations approved for the month of October were as follows:

Special Olympics	\$500.00
March of Dimes	\$500.00
L'Anse Yearbook	\$200.00
Baraga Yearbook	\$200.00
American Cancer Society	\$500.00
Howl-O-Scream Haunted House	\$100.00
L'Anse Football Team 5th Quarter Event	\$210.00

The Fiscal Year 2014 budget was approved on October 15, after many meetings and reviews. This was a very difficult budget as I reported last month. When we began the process we had a proposed deficit of \$2.9M. Many modifications were made after careful evaluation. It was very difficult to reduce expenses without making adjustments to programs and services. In the middle of the budget process we had a consulting company, Innovative Gaming Solutions, come in to conduct an evaluation of our Casinos. They had many suggestions for increasing revenue which will positively impact the bottom line of both properties. The largest expenses causing the proposed deficit were the Capital expenses that the Casinos had requested which totaled \$2.5M. In the end the budget was approved without any of the Capital expenses; however, those projects may be permitted once there have been improvements in performance at each Casino. We will be closely monitoring to insure that the budgeted projections are met, the suggested changes are made and that the house profits increase. Management is aware of their responsibilities and will be held accountable.

On October 30, I attended a Retirement Committee meeting. An Investment Review of the 401 (k) plan along with the Defined Benefit plan was conducted with Julie Riolo of Wells Fargo. We were informed that we currently have 545 participants in the 401 (k) with approximately 30% having outstanding loans. The plan is doing very well. We asked for and will be receiving some educational materials to provide to the employees in the paychecks stressing the importance to save for retirement. The Defined Benefit plan is also doing well. It is well diversified, with very little risk.

I have been very busy working on the annual Christmas Gift Check/Sovereignty Check disbursements. Payments will be made to those members 18 years and older residing in Baraga and Marquette Counties as of September 1 and still residing there at the time of distribution. Baraga Checks will be given out Monday, November 25 from 9:00 am until 5:00 pm and in Marquette, Tuesday, November 26 from 12:00 pm until 6:00 pm. Members are reminded to be prepared to provide address verification when picking up their checks.

As always if anyone has any questions or comments, please feel free to contact me.

Respectfully,

Jennifer Misegan
Tribal Council Treasurer

KEWEENAW BAY INDIAN COMMUNITY



MEMORANDUM - CEO'S OFFICE

TO: TRIBAL COUNCIL
FROM: LARRY J. DENOMIE III, CEO
Date: November 9, 2013
SUBJECT: OCTOBER 2013 MONTHLY REPORT

The month of October 2013 included the following activities and reportable items:

- The Keweenaw Bay Indian Community now has a Facebook page. Be sure to "Like" us so you're able to receive information related to new or modified programs and services, events and activities taking place, and other useful information being shared.
- The Tribe has contracted with LaCourt Bottle Gas Co. of Baraga to provide guaranteed pricing of LP gas for its buildings and members residing in the service area. This year's price is guaranteed at \$1.60 per gallon and is effective for the heating season covering November 1, 2013 through May 31, 2014. There is a slight change to the program this year for members who participate. LaCourt delivers the gas at their current retail price; upon payment within their credit terms, the guaranteed price is provided. The service area covers areas leading out of Baraga as follows; north to Broemer Rd. on US-41, east to the M-95 junction on US-41, and west to Rousseau Rd. on M-38.
- The Tribe hired Innovative Gaming Solutions (IGS) to perform a comprehensive evaluation of its gaming and gaming support operations. The evaluation included four components; an off-site initial review of documents provided to them related to the areas being evaluated, an 8 day on-site visit to interview staff and view the operations first hand, a preliminary report of their findings to Council, and a comprehensive written report. The comprehensive 288 report was received this week and will be reviewed by Council and management in two weeks. Plans will be developed including timelines and then implemented to address the findings. Based on the preliminary report, a proposal to contract for training with IGS was also received and will be considered by Council during their review of the comprehensive report.
- The FY14 Budget review sessions continued in early October with final approval by Council on October 15. Sarah Maki, Asst. CEO, is in the process of sending departments their approved budgets along with notations regarding changes that were made during review of their submissions.
- The Affordable Care Act, also known as "Obama Care", provision for open enrollment began on October 1. Employers were required to provide notices to their employees of this provision of which both our enterprise and governmental employees were. The Tribe has until January 1, 2015, to comply fully with all the employer provisions of the act. This is a very complex and ever changing issue of which staff is doing their best to stay on top of.
- The Tribe has instituted an Emergency Medical Technology Loan Program. The Tribe serves as co-signor on loans to eligible KB members residing in Baraga County desiring to participate in an EMT program. The program is administered through the Tribes TERO Office located within the Tribal Center. Interested members can contact Debbie Picciano who directs the TERO Office.

- The Tribe received official notice of funding for its Low Income Heating Energy Assistance Program (aka LIHEAP). Guidelines for this year's program will be posted on the Tribes website and Facebook page next week.
- With the FY14 budget approval, came changes to quite a few of the programs the Tribe provides. To read or hear more about the changes to specific programs, tune into the Tribes radio stations – 105.7 and 98.7, subscribe to the Tribes newsletter, visit the Tribes website, contact the related department, or check their Facebook page regularly.
 - The guidelines for the Community Needs Assistance Program which is directed by the Community Assistance Programs office included a change to the service area which now includes Baraga County and the Marquette Trust property. Other changes were made to the immediate family member listing, funded items in the non-medical section, and additional requirements in the medical section.
 - The Youth Activity Fund program, which is overseen by the Niwiniw Akeaa Facility Programs director, includes Baraga County and the Marquette Trust property as the service area. Eligible recipients are enrolled KB member parents or an enrolled KB member child. The amount per child is again \$250 for FY14. Other changes should be viewed by using the sources listed above.
 - The Motor Vehicle and Licensing Department has changes in fees charged for license plates, registrations, licenses, and titles. You can contact the department or use the sources listed for a complete list of those changes as well.
 - The Tribe has approved the Health Center to work with Medicare Part D eligible clients in signing up for the program during open enrollment which is occurring now through the end of the year and paying for the monthly plan fee. For eligibility requirements, individuals will need to contact the Health Center directly.
 - The Commodity Food program has added deductions that will assist members and their families in meeting income guidelines. There is a new deduction for rent/utility of \$400, a small increase in the allowable net monthly income, a deduction for meals provided to a home care attendant of \$189, and an amendment to the out-of-pocket medical deduction which allows monthly medical expenses over \$35 to be deducted.
 - Seniors and disabled individuals received a packet of information and forms one of which was for the heating assistance program. In the information provided it required recipients provide their household income for eligibility in the LIHEAP program. That requirement has been removed and individuals who would like to apply for the LIHEAP program would provide their income at that time.
- In my reports in prior months I indicated that the Tribes Solid Waste Facility would be operational this fall. Several issues including the US Government shut down has delayed opening until the spring of 2014. Equipment for the facility is funded by an HUD ICDBG grant of which we were unable to access funds from until the reopening of the government. Lead time for equipment needed to operate the facility and complete construction has extended into the winter months. Also, an issue with right-of-ways has delayed installation of the electricity needed. Work on completing the construction and installation of equipment will continue through the winter months.
- In a final note, based on a recommendation by the Cultural Committee, I requested that both language classes that have been held at the Cultural Building, be relocated until the new classroom being planned as an addition to the center is completed. The reason for the decision is due to the medicines that are kept there, the processing of the medicines, the files of those treated, and the need to keep them secure. Gary Loonsfoot Jr., Cultural Resources Director, has made arrangements for alternate sites for the classes to be held.

As always, if anyone has questions, concerns, comments, or issues they need assistance with, feel free to contact our office at anytime.