

# KEWEENAW BAY INDIAN COMMUNITY

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

## 2018 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  
RANDALL R. HAATAJA  
MICHAEL F. LAFERNIER, SR.  
GARY F. LOONSFOOT, JR.  
RODNEY LOONSFOOT  
ELIZABETH D. MAYO

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**THURSDAY – JANUARY 18, 2018 – 9:00 A.M.**

**APPROVED**

FEB 15 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: pl

- A. Date: January 18, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:22 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Jennifer Misegan, Vice President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary (left at 12:09 p.m.)  
Doreen G. Blaker, Treasurer  
Robert R.D. Curtis, Jr. (left at 12:09 p.m.)  
Fred Dakota (left at 10:55 a.m.)  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot (left 10:51 – 11:08 a.m., left 1:27 - 1:55 p.m., left at 3:13 p.m.)  
Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: January 18, 2018
- Deletions: Closed Session- 3. Don Wren, Ojibwa Casinos General Manager/Francis LaPointe, CFO – FY2018 Quarterly Update for Ojibwa Casinos I & II (General Financial Performance)
- Old Business- 1. Doreen Blaker, Housing Director – KBIC Housing Department Lease to Own Policy (Final)
- Additions: FYI- 1. Income Limits under the Native American Housing Assistance

and Self-Determination Act of 1996 (NAHASDA)

7. Cultural Committee Honoring of the Tribal Council and the 14<sup>th</sup> Winter Traditional Powwow at the Niiwin Akeaa Community Center on January 27, 2018

Closed Session- 4. Larry Denomie III, CEO - Updates

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

G. For Your Information:

1. KBIC Housing Department - Useful Life and Binding Commitment Policy (for review) and the Office of Native American Programs Income Limits under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) in regard to the proposed Home Ownership Program Lease To Own Policy
2. A letter from the BIA Midwest Regional Office offering suggestions for clarity regarding KBIC's request for a Secretarial Election (Resolution KB-042-2015 adding Article IX – Judicial Branch to the Constitution) (The Constitution Committee will meet to review)
3. Michigan Gaming Control Board Draft Inspection/Audit Report 2017-004 regarding the onsite inspection of Class III Gaming records the week of August 14, 2017
4. DEQ Water System Permit Granted for the Remodel/Expansion of the Marquette Casino
5. Department of Interior B.I.A. Quarterly Fee To Trust Report for 1<sup>st</sup> Quarter 2018
6. Midwest Professionals, P.L.L.C. Financial Statements Audit for GLIFWC year ending December 31, 2016
7. Cultural Committee Honoring of the Tribal Council and the 14th Winter Traditional Powwow at the Niiwin Akeaa Community Center on January 27, 2018 with photos

H. Approval of Meeting Minutes:

1. December 14, 2017

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE DECEMBER 14, 2017 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ABSENT - 0, MOTION CARRIED.**

2. December 19, 2017

**MOTION MADE BY TONI J. MINTON TO APPROVE THE DECEMBER 19, 2017 MEETING MINUTES. SUPPORTED BY RANDALL R. HAATAJA. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

I. Recognize Scheduled Delegation/Individuals:

1. Jeffery Loman – Lundin Meeting and Submission of KBIC Hazardous Substance Spill Response Preparedness Action Plan

Jeff notified the Council of a proposed meeting with the Lundin Mining Company and presented a draft agenda for February 22, 2018. Lundin would like to develop a working partnership with KBIC.

Jeff also proposed a “KBIC Spill Response Action Plan.” Training would involve our Police Department, Firefighters, and others to prepare them if the Enbridge Line were to break or spill or other disasters.

**Break: 10:11 – 10:20 a.m.**

2. Don Wren, Ojibwa Casinos General Manager (not present)/Don Messer, Baraga Casino Manager/James Orr, Marketing Director - Power Point Presentation on the Marketing Program

The Ojibwa Casinos have a new logo, monthly mailers with new offers, and a new players club is coming that will combine both properties.

**Rodney Loonsfoot left at 10:51 a.m.**

**Fred Dakota left at 10:55 a.m.**

**Rodney Loonsfoot returned at 11:08 a.m.**

J. New Business:

1. Danielle Webb, Tribal Attorney/Debra Picciano, TERO Director – TERO Update on Tribal Member Job Prospects for the Casino Projects

The TERO Ordinance does not require Gundlach to hire tribal members because they are already in existence and have their own crew. If they were to hire additional workers then our ordinance requires a percentage of members to be hired. It was also suggested that Debbie meet with the local businesses regarding TERO.

2. Bobby Escobar, Assistant Tribal Attorney/Dotti Pryor, Pressbox Manager - American Welding & Gas, Inc. Product Sales Agreement (Baraga Gas Agreement) (5) year term to provide carbon dioxide gas for beverages served at the Ojibwa I & II Casinos, Pressbox

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE PRODUCT SALES AGREEMENT WITH AMERICAN WELDING AND GAS, INC. SUPPORTED BY GARY F. LOONSFOOT, JR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.**

3. Toni Minton, Council/Cultural Committee Rep – Culture Committee Budget Modification
4. Gary Loonsfoot, Jr., Director of Cultural Resources - Furnace and Water Heater Request for the Cultural House

Delete: Capital Outlay Equipment in the amount of \$7,000.00

Add: Cultural Supplies \$1,000.00, Maintenance \$2,000.00 (furnace/water heater), Mide \$5,000.00, Other Fees \$5,000.00 for a total of \$13,000.00

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE BUDGET MODIFICATION FOR THE CULTURAL COMMITTEE AS DISCUSSED IN THE AMOUNT OF \$13,000.00. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), ONE ABSENT (Fred Dakota), MOTION CARRIED.**

**Lunch: 12:09 – 1:09 p.m. (Toni Minton and Robert R.D. Curtis, Jr. left)**

5. President Swartz –

- a) Aanikoosing, Inc. Articles of Incorporation Board Appointment (1) - Article VII Board of Directors (B) i. two members shall be current members of the Tribal Council. There is one seat available.

Council members who are interested in serving on the board should notify the President's Office.

- b) Resolution KB-002-2018 National Indian Gaming Association (NIGA) Membership Renewal and Delegate/Alternate Delegates \$7,500.00

The Council would like to add all Tribal Council Members as alternate delegates. Prior it was the President and Executive Board of the Council.

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-002-2018 NATIONAL GAMING ASSOCIATION MEMBERSHIP RENEWAL AND DELEGATES WITH THE CHANGE. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

6. Jennifer Misegan, Vice President - Creation of Asemaa Wholesale and Distribution (Company) to purchase cigarettes from the KBIC Tobacco Company to fill retail orders, affix fee stamp, charges wholesale pricing.

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE CREATION OF THE ASEMAA WHOLESALE AND DISTRIBUTION COMPANY AND TO ESTABLISH A CHECKING ACCOUNT. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

K. Closed Session:

1. Danielle Webb, Tribal Attorney /Joseph O’Leary, Baraga County Prosecuting Attorney – Case Settlement Offer

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:26 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

**Rodney Loonsfoot left the room 1:27 p.m. (per Tribal Attorney’s request)**

**MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 1:51 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

[New Business]

2. Larry Denomie III, CEO –

**Rodney Loonsfoot returned at 1:55 p.m.**

- a) Michael Lahti, Assistant Manager – Pines Convenience Center Equipment Upgrade Costs Proposal – Northwest Petroleum Service, Inc. to provide and install EMV card readers (Option A) and Wayne Connect modules (Option B) for the existing dispensers

Proposals: Option A = \$39,580.00, Option B = \$9,125.00, Option C = \$17,325.00 (wallet pay)

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE NORTHWEST PETROLEUM SERVICES, INC. OPTION A AND B AND DO A SURVEY FOR OPTION C FOR THE PINES CONVENIENCE CENTER EQUIPMENT UPGRADES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

- b) Weekly Update –

The Council is invited to attend a ski jump show in Iron Mountain and the tickets will be provided by Gundlach Champion on February 10-11, 2018.

The weekly Employee Report 01/18/18 was handed out.

One interview for the Elderly Nutrition Director and one interview for the Health Director.

[Closed Session]

2. Elizabeth D. Mayo – Vendor Payments [Open to KBIC Members]
3. Ed Janisse, General Manager of Media Operations for Eagle Radio (not present)/Larry Denomie III, CEO – Update on the Radio Stations with Proposed Changes Report
4. Larry Denomie III, CEO - Updates

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 2:32 P.M. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

Break: 2:33 – 2:41 p.m.

Rodney Loonsfoot left at 3:13 p.m.

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO GO INTO OPEN SESSION AT 4:13 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO ADJOURN AT 4:14 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**THURSDAY – JANUARY 18, 2018 – 9:00 A.M.**

A. Date: January 18, 2018

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

- 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
- Randall R. Haataja
- Michael F. LaFernier, Sr.
- Gary F. Loonsfoot, Jr.
- Rodney Loonsfoot
- Elizabeth D. Mayo

E. Declaration of Quorum:

F. Approval of Agenda: January 18, 2018

G. For Your Information:

1. KBIC Housing Department - Useful Life and Binding Commitment Policy
2. A letter from the BIA Midwest Regional Office offering suggestions for clarity regarding KBIC's request for a Secretarial Election (Resolution KB-042-2015 adding Article IX – Judicial Branch to the Constitution)
3. Michigan Gaming Control Board Draft Inspection/Audit Report 2017-004
4. DEQ Water System Permit Granted for the Remodel/Expansion of the Marquette Casino
5. Department of Interior B.I.A. Quarterly Fee To Trust Report for 1<sup>st</sup> Quarter 2018
6. Midwest Professionals, P.L.L.C. Financial Statements Audit for GLIFWC

H. Approval of Meeting Minutes:

1. December 14, 2017
2. December 19, 2017



I. Recognize Scheduled Delegation/Individuals:

1. Don Wren, Ojibwa Casinos General Manager/James Orr, Marketing Director - Power Point Presentation
2. Jeffery Loman – Lundin Meeting and Submission of KBIC Hazardous Substance Spill Response Preparedness Action Plan

J. Old Business:

1. Doreen Blaker, Housing Director – KBIC Housing Department Lease to Own Policy (Final)

K. New Business:

1. Danielle Webb, Tribal Attorney/Debra Picciano, TERO Director – TERO Update on Tribal Member Job Prospects for the Casino Projects
2. Bobby Escobar, Assistant Tribal Attorney/Dotti Pryor, Pressbox Manager - American Welding & Gas, Inc. Product Sales Agreement
3. Toni Minton, Council/Cultural Committee Rep – Culture Committee Budget Modification
4. Gary Loonsfoot, Jr., Director of Cultural Resources - Furnace and Water Heater Request for the Cultural House
5. President Swartz –
  - a) Aanikoosing, Inc. Articles of Incorporation Board Appointment (1) - Article VII Board of Directors (B) i. two members shall be current members of the Tribal Council
  - b) Resolution KB-002-2018 National Indian Gaming Association (NIGA) Membership Renewal and Delegates \$7,500.00
6. Jennifer Misegan, Vice President - Creation of Asemaa Wholesale and Distribution
7. Larry Denomie III, CEO –
  - a) Michael Lahti, Assistant Manager – Pines Convenience Center Equipment Upgrade Costs – Northwest Petroleum Services, Inc.
  - b) Weekly Update

L. Closed Session:

1. Danielle Webb, Tribal Attorney /Joseph O’Leary, Baraga County Prosecuting Attorney – Case Settlement Offer – **1:00 p.m.**
2. Ed Janisse, General Manager of Media Operations for Eagle Radio – Update on the Radio Stations with Proposed Changes
3. Don Wren, Ojibwa Casinos General Manager/Francis LaPointe, CFO – FY2018 Quarterly Update for Ojibwa Casinos I & II (General Financial Performance) [Open to KBIC Members]
4. Elizabeth D. Mayo – Vendor Late Fees [Open to KBIC Members]

M. Adjournment: