

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
REGULAR COUNCIL MEETING
BIG BUCKS BINGO HALL
SATURDAY – FEBRUARY 3, 2018 – 9:00 A.M.**

APPROVED

MAR 15 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

- A. Date: February 3, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:13 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 (arrived at 9:16 a.m.)
Doreen G. Blaker, Treasurer
Fred Dakota
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot
Elizabeth D. Mayo

Absent: Robert R.D. Curtis, Jr.

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 3, 2018

Toni Minton arrived at 9:16 a.m.

- Deletion: I. Vice President's Report/January 2018
- Change: New Business 2. Jennifer Misegan, Vice President to Doreen G. Blaker, Treasurer
- Addition: New Business- 3. Fred Dakota – Park Discussion

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA WITH THE CHANGES. CO-SUPPORTED BY JENNIFER MISEGAN AND RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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 (Toni J. Minton), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

G. For Your Information:

1. A "Thank you" from Tanya Sprawl, Director of Title VII Native American Education Program
2. A "Thank you" from Ann Lahaie, Volunteer for the Beacon House
3. A "Thank you" from the L'Anse and Baraga High School Bowling Team (use of van)
4. A "Thank you" from Cathy Kass-Aten, Director of Little Brothers Friends of the Elderly
5. A "Thank you" from Edwin Gray, Director of the Calumet Art Center
6. A "Thank you" from Richard Bohjanen, Chocolay Township Supervisor
7. Voigt Intertribal Task Force Meeting Minutes December 7, 2017 Danbury, Wisconsin

H. President's Report/January 2018 – available for your review

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JANUARY 2018 PRESIDENT'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

I. Secretary's Report/January 2018 – available for your review

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 2018 SECRETARY'S REPORT. 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, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

J. CEO's Report/January 2018 – available for your review

MOTION MADE BY RODNEY LOONSFOOT TO HAVE THE COUNCIL HIRE THE DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT. SUPPORTED BY ELIZABETH D. MAYO.
(President Swartz called the motion out of order)

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 2018 CEO'S REPORT. CO-SUPPORTED BY JENNIFER MISEGAN AND MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ONE OPPOSED (Fred Dakota), ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

K. Department Head Reports/December 2017

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE DECEMBER 2017 DEPARTMENT HEAD REPORTS. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Fred Dakota, Michael F. LaFernier, Sr., Rodney Loonsfoot), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

L. New Business:

1. Doreen Blaker, Treasurer – Donations/February 2018

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE FEBRUARY 2018 DONATIONS AS THE FOLLOWING: \$500.00 FOR THE BARAGA SENIOR CLASS OF 2018 LOCK-IN BASH PARTY, \$500.00 FOR THE MARQUETTE COUNTY YOUTH FOOTBALL PROGRAM FOR NEW EQUIPMENT, \$1,000.00 TO DEENA MISEGAN TO ATTEND THE INTERDISCIPLINARY STUDY IN GLOBAL HEALTH CARE IN CENTRAL AMERICA, AND SEEK FUNDING FROM THE OVW FOR THE UNITING THREE FIRES AGAINST VIOLENCE MEMBERSHIP REQUEST. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (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 (Jennifer Misegan), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

2. Doreen G. Blaker, Treasurer –

a) 1st Reading Proposed Tobacco Ordinance 2018-01

President Swartz read the Legislative Process.

Doreen introduced the Motion to Amend Proposed Ordinance 2018-01, The Tobacco Ordinance of 2018 Amending Title 21B of The Tobacco Ordinance of 2008.

MOTION MADE BY DOREEN G. BLAKER TO INTRODUCE AND WAIVE THE 1ST READING OF PROPOSED TOBACCO ORDINANCE 2018-01 AND TO SCHEDULE THE 2ND AND 3RD READING ON FEBRUARY 22, 2018. SUPPORTED BY TONI J. MINTON. EIGHT 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.), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

b) Schedule 2nd and 3rd Readings for Proposed Tobacco Ordinance 2018-01

The 2nd and 3rd Readings are scheduled for February 22, 2018.

3. Fred Dakota – Park Discussion

Fred would like to see the mobile home at the park replaced with a newer model for the Caretaker. It is several years old and is very worn down.

M. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 10:19 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
BIG BUCKS BINGO HALL
SATURDAY – FEBRUARY 3, 2018 – 9:00 A.M.

A. Date: February 3, 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: February 3, 2018

G. For Your Information:

1. A "Thank you" from Tanya Sprawl, Director of Title VII Native American Education Program
2. A "Thank you" from Ann Lahaie, Volunteer for the Beacon House
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7. Voigt Intertribal Task Force Meeting Minutes December 7, 2017 Danbury, Wisconsin

H. President's Report/January 2018

I. Vice President's Report/January 2018

J. Secretary's Report/January 2018

K. CEO's Report/January 2018

L. Department Head Reports/December 2017

M. New Business:

1. Doreen Blaker, Treasurer – Donations/February 2018
2. Jennifer Misegan, Vice President –
 - a) 1st Reading Proposed Tobacco Ordinance 2018-01
 - b) Schedule 2nd and 3rd Readings for Proposed Tobacco Ordinance 2018-01

N. Adjournment:

President Report

January 2018

The following is a summary of activities that occurred in the office of the President for the month of January 2018.

- We approved the renewal employment agreement with Jody Jinkerson. Some of her duties include providing diagnosis, treatment, consultation and follow-up acute, chronic and long-term health care, implement Diabetic Clinic and Women's Health Clinic, weekly or bi-weekly.
- The current continuing resolution, that funds government run programs, is set to expire on February 8 of this month. The current bill on the continuing resolution includes 6 years of funding for Children's Health Insurance Program (CHIP).
- I participated in a webinar about the 2018 Farm Bill. The Farm Bill is one of the single largest pieces of domestic legislation in the United States. Enacted by Congress approximately every five years, it addresses everything from nutrition programs to agricultural policies, food production, natural resource conservation, rural development, and insurance programs.
 - The bill is structured around 12 titles. Each title is significant to Indian country. Nutrition takes up about 80% of about \$449 billion dollars. Some opportunities in the nutrition portion of farm bill include tribal administration of Supplemental Nutrition Assistance Program (SNAP), eliminate the match and to be able to include traditional foods in the Food Distribution Program on Indian Reservations (Commodity foods). It is important that Indian Country continue to advocate for 638 authority in the nutrition and forestry programs in the 2018 Farm Bill.
- I attended the Midwest Region Tribal Interior Budget Committee (TIBC) FY2020 budget formulation meeting in Bloomington, MN. The purpose is to provide a forum and process whereby Tribes and the Department work together to develop policy and budgets that provide the Department of Interior to fulfill its Trust responsibilities and Treaty Obligations and to strengthen Tribal governmental capacity to serve its citizens.
 - I submitted the Assistant CEO name for our Point of Contact (POC) for survey submissions. All of our program directors should submit their shortfalls underfunded obligations and other needs of their respective departments. The purpose is to continually show there is a need for our programs and their justified. A couple of surveys were submitted the preferred program and unfunded obligations.
 - The community chose 10 preferred programs for the Keweenaw Bay Indian Community.
 - Requested the Department hold a Secretarial Election to amend the Tribes constitution pursuant to Resolutions KB-1914-2013 (remove Sec of Interior) and KB-042-2015 (Judicial amendment). The constitution committee is meeting to review the comments from the Department for consideration by the Council in regards to the 2015 resolution. Those comments were received on January 12, 2018.
 - At the beginning of this year the BIA informed us that they may have funds remaining (left over \$) that were appropriated to operations. Due to the left over funds, the Department

requested from tribes one-time proposals that would be considered for funding. We submitted a couple of proposals related to controlling invasive species here on the reservation \$35,000 and the walleye rearing facility \$55,000

- On behalf of the community, I called upon our congressional representative Jack Bergman and informed him that the Special Diabetes Program for Indian (SDPI) was NOT included in the House Continuing Resolution proposed by the House. The program is invaluable, and it has proven itself highly effective in reducing deaths, amputations, other symptoms of diabetes and related implications like heart disease. I told him that this has been one of the greatest programs for Indian Country. Congressman Bergman is a member of the Native American Caucus, we strongly urged him to fight for inclusion of this important program.
- We participated in a government-to-government consultation meeting with the Michigan Department of Environmental Quality on Lundin Mining Corporation's request to amend their Part 632 mining permit. We believe they are not prepared to request an amendment to their mining permit. This is due to the state of understanding of the pit lake now in 2017, the modeling performed to date and the unavailability of relevant data. There are apparently pit lake chemical, fluid flow and geotechnical mechanisms in the Humboldt pit lake that are not understood. The Humboldt Mill has released information indicating that the pit lake is not performing as expected. Relevant data is missing, potential affects to threatened and endangered and special concern species.
 - We concluded that the mining company would be in and out of here in a matter of less than ten years. Were opposed to this activity and feel it's not right to gamble the environmental health and sustainability of the Middle Branch of the Escanaba River on model predictions.
- Late in December of last year, I submitted joints comments on Dynamics Risk Final Alternatives Analysis in regards to line five that travels under the Mackinac Bridge. Those comments set forth in detail a number of concerns with the draft that are of great importance to us, and that we hoped would be addressed by Dynamic Risk in its revised report. To our disappointment, the Final Report addressed none of our concerns and is, in all material respects, a reproduction of the deeply flawed Draft Report.
 - The final report continues to:
 - Obscure the risk of rupture of the straits. The odds of a rupture in the next 35 years are about one in sixty.
 - Obscure the fact that operation of the straits pipelines cannot be justified by Michigan-based needs. We noted the Michigan's portion of line 5 is largely a thoroughfare for the transportation of product to the benefit of out-of-state commercial, governmental and consumer interests.
 - Prioritize the commercial needs of Enbridge instead of evaluating for the needs of the people, businesses and governments within the state of Michigan.
 - The final report fails to account for Tribal interests. We set forth in detail a number of interests, including treaty rights attaching to lands and waters at and around the Straits guaranteed by the United States and affirmed by the federal courts. The final report addresses none of this other than it may affect implicate tribal-reserved treaty rights.
 - Underestimate the costs of a spill.

- The final report continues its unexplained focus on the tunneling alternative. In our comments, we asserted that the report placed undue emphasis on the tunneling alternative; failed to properly account for the vast disruption to tribal and state interest that tunneling would cause; and failed to explain how Michigan interest justified this option, as opposed to the commercial needs of Enbridge.
 - The Keweenaw Bay Indian Community will engage in further consultation with the state over the future of the Straits pipelines. We trust and hope that such consultation will be meaningful, and that the state and the Tribes will work together towards a common goal of decommissioning the Straits Pipelines. We deserve nothing less.
- I was made aware of a bill introduced in the House by Noem in the past week (co-sponsored by Gowdy). It is HR 4864 and can be found here:<https://www.congress.gov/115/bills/hr4864/BILLS-115hr4864ih.pdf>. There has been no consultation with tribal nations on this bill and it has far-reaching negative consequences for tribes and will disrupt tribal/federal and tribal/state relations. The bill would allow US Marshalls to arrest tribal members on their reservations with State warrants without having to comply with any tribal/state MOU or tribal extradition process. This flies in the face of tribal sovereignty, would disrupt tribal/state relations where MOUs and procedures have already been established and will disrupt tribal/federal relations when federal officers arrest on state warrants without following the laws of the tribal nation. We may have to amend section 2.402 of KBIC Tribal code regarding the extradition process by requiring law enforcement officers of another jurisdiction to seek judicial review by our Court.
- I signed amendment two to the Michigan Economic Development Corporation for the purposes of providing additional funding to be used for all activities related to construction of 1.5 miles of the non-motorized trail that will run from Sandpoint Lighthouse to the Baraga Municipal Marina. The MEDC wished to extend the term of the agreement to allow for the completion of Phase 2 of the project and to provide \$300,000.00 additional funding. The proposed trail routes numerous areas of interest together and provides a designated safer option.
- There is a vacancy in the Aanikoosing Inc. board of directors for a council member.
- The community supported the Tribal Labor Sovereignty Act of 2017 (TLSA). The TLSA would respect and promote tribal sovereignty by affirming the rights of tribal governments to determine their own labor practices on our own lands. Since 2004, the National Labor Board has been aggressively asserting jurisdiction over tribal labor practices when it determines tribal government employers are acting in a “commercial” rather than “governmental” capacity. This same analysis does NOT apply to state or local governments.
- On behalf of the community, we submitted comments voicing our opposition to the HB4 soybean receiving nonregulated status. The threat posed by the release of genetically modified organisms into our environment is a concern in our community.
- I had the opportunity to talk to Jennifer Kurland. She is a candidate from the green party for the governor of Michigan. She is promoting “A Green New Deal”. Some of the issues we discussed include public education, infrastructure and roads, environment, public health and healthcare.
- I appointed Michelle St George to the communities Health Board as a regular board member and appointed Mary Dee Shanahan in her place to fulfill the remaining term as an employee representative to the board.

- We submitted comments regarding the Baraga Lakeside Inn's Submerged Lands permit application request to dredge the channel to their marina, remediate docks, and placement of riprap along the shore. KBIC believes it is within the best interest of the Tribe and neighboring residents to protect the land and waters of the Upper Peninsula. The community's water supply has an intake valve about 1000 feet or less where the proposed dredging are to take place. Were concerned about sediment intake and build-up in the water supplies, sediment control precautions and wonder if a laboratory analysis on the proposed dredged material and its influence on water treatment.

This concludes my report.

Warren C. Swartz Jr.

**KEWEENAW BAY INDIAN COMMUNITY
TRIBAL COUNCIL**

*January 2018 Report from the Secretary to the Council/Community
(for the February 3, 2018 Regular Meeting)*

Big Bucks Bingo Hall - Baraga, MI

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

During January, the Tribal Council held (1) Regular meeting on January 6, 2018, (1) Work Session on January 22, 2018 and (3) Special Council meetings on January 12, 18, 25, 2018. Following are the 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.

January 6, 2018 Regular Council Meeting (unapproved):

- Approved the Vice President's (Jennifer Misegan) December 2017 Report
- Approved the Secretary's (Susan J. LaFernier) December 2017 Report
- Approved the CEO's (Larry Denomie, III) November and December 2017 Reports
- Approved the November 22 and November 30, 2017 Tribal Council Meeting Minutes
- Approved Resolution KB 001-2018 Clara L. Corbett Recreational Lease and sale of the leasehold interest and improvements on Herman Road in L'Anse, Michigan and cancels lease to Betsey C. Robillard Ross
- Approved the January 2018 Donations: \$5,000.00 to Wounded Warriors Family Support Program; \$1,000.00 donation to

protect and enhance the Bete Grise Reserve; \$1,000.00
Visionary Supporter for Ken Summers for State Representative
and (4) \$20.00 tickets for the fundraiser event on January 26,
2018 in Houghton; \$1,500.00 for Tim Lofquist/Jesse Ekdahl for
mother's pool tournament benefit and travel expenses for Kelly
Shelifoe from Green Bay, WI using the CAP guidelines to visit
her uncle in Marquette General Hospital

- Approved the certification of the KBIC General Election held
on December 16, 2017. Doreen Blaker and Robert "RD" Curtis
from the Baraga District and Randy Haataja and Toni J. Minton
from the L'Anse District were sworn in
- Ballot Vote for President: Warren J. Swartz, Jr. 10
R.D. Curtis 2
Ballot Vote for Vice President: Jennifer Misegan 7
Elizabeth Mayo 5
Susan J. LaFernier: Secretary
Toni J. Minton: Assistant Secretary Doreen Blaker: Treasurer
- Approved Superior National Bank and Wells Fargo as the
Depository of Funds
- Approved all of the Tribal Council members as check signers
with 2 signatures required on documents
- Approved the check signers for the Tribal Court as the Council,
Chief Judge, Associate Judge, and Chief Court Clerk and for
the Child Support Office as the Council, Child Support Director
and Child Support Specialist

January 12, 2018 Special Council Meeting (unapproved):

- Approved the November 2017 Department Head Reports
- Approved the December 2 and December 7, 2017 Tribal
Council Meeting Minutes
- Approved the Amended and Restated Operating Agreement for
KBIC Tobacco Company, LLC
- Approved the Management Agreement between KBIC Tobacco
Company, LLC and Allegany Capital Enterprises, LLC for the
federally licensed tobacco products manufacturing business
- Approved the Department of Interior, Bureau of Indian Affairs
Law Enforcement Services Program January 1, 2018-December
31, 2020

- Approved the renewal for the Rez Stop License to Purchase and Sell Tobacco Products January 21, 2018-January 20, 2019
- Approved the Lease/Rental Agreement with IGT and the (2) Orders for (14) Machines for the Marquette Casino
- Approved the (4) Orders for machines and table games for the Marquette and Baraga Ojibwa Casinos from Bally Gaming, Inc.
- Approved the 16 games device order with Aristocrat Technologies, Inc. for the Marquette Casino
- Approved the Amendment to Program Contract for the FY 2018 "Bemidji Area Leaders Acting for Change" (BALAC) Grant Program with Great Lakes Inter-Tribal Council, Inc. to change the end date from March 2018 to September 29, 2018
- Approved the renewal with Marketron Broadcast Solutions LLC, software license and service agreement for visual traffic with the Radio Station for 5 years
- Approved Klas Robinson Hospitality Consulting to provide an updated feasibility study and trade market analysis regarding the two planned casino developments (3 bids)
- Approved the Greenway Health LLC outbound immunizations implementation service for the Department of Health and Human Service for \$3,500.00
- Approved the Michigan Department of Health and Human Services Memorandum of Understanding regarding use of American Indian/Alaskan Native Behavioral Risk Factor Survey Data to be used for health planning and supersedes the prior agreement approved on June 6, 2017
- Approved the budget balance for the Marquette Casino Sanitary Force Main Design proposal with Gundlach Champion

January 18, 2018 Special Council Meeting (unapproved):

- Approved the December 14 and 19, 2017 Tribal Council meeting minutes
- Approved the Product Sales Agreement with American Welding & Gas Inc. for 5 years and the Beverage Gas Agreement with the Ojibwa Casinos and Pressbox Sports Bar & Grill
- Approved the Cultural Committee budget modification increase request for a \$13,000.00

- Approved Resolution KB 002-2018 National Indian Gaming Association membership renewal for \$7,500.00 based on the Tribe's gross annual revenue and to include the entire Tribal Council as delegate/alternate delegates
- Approved the formation of the Asemaa Wholesale and Distribution Company (cigarette sales to retail outlets) and establish a checking account
- Approved Options A & B proposal from Northwest Petroleum Service, Inc. for the Pines Convenience Center installation of card readers \$39,580.00 and media connect modules for the dispensers \$9,125.00

January 22, 2018 Work Session:

- Government Personnel Policy Review – Closure of the Tribal Center; Inclement Weather Policy; Other policies
- Reviewed the proposed Administrative Office Organizational Structure
- Established a list of priorities for 2018 for review
- Approved Resolution KB 003-2018 request to the Shakopee Mdewakanton Sioux Community Business Council to assist financially in any amount to improve the Baraga Ojibwa Casino facility

January 25, 2018 Special Council Meeting (unapproved):

- Approved the KBIC Housing Department "Home Ownership Program Lease to Own" Policy
- Approved the Tier III Services Agreement with MJP Healthcare Consulting (Michael J. Popp) to provide the Community, Information Technology (IT) Services by way of, but not limited to, Electronic Medical Records Management, Project Management, and HIPAA Support and Consulting Services, July 1, 2017-June 30, 2018 and renegotiate the travel time cost for the new agreement
- Approved the Trademark/Service Mark Application, Principal Register TEAS Plus Application for the (2) versions of the new Ojibwa Casinos Logo
- Approved the Request for Proposal (1) for the Terrestrial Invasive Species Management Plan Development from Mary


Hindelang, PhD, Ecology and Education Consultant for the Natural Resources Department

- Approved the Amendment to Tier IV Services Agreement with Henley Boat Manufacturing for additional services of \$8,333.50 to build and deliver a boat to the Natural Resources Department
- Approved the Amendment to Tier III Services Agreement with Dave Whitman Construction that the term of the agreement will end on June 30, 2018 instead of December 31, 2017 to construct a slab and roof over the outdoor fish tanks building at the Hatchery
- Approved the bid for a 2018 Chevrolet 3500 Crew Cab with flat bed for \$37,117.00 from Keweenaw Chevrolet for the Natural Resources Department for a fish stocking vehicle
- Approved the purchase of (2) snowmobiles for \$10,250.00 each from Timberline Sports in Bergland, MI for the Ojibwa Casinos January 2018 Snowmobile Promotion
- Approved the Director of Fire and Emergency Management job description with the changes
- Approved the KBIC Seniors Tax Preparation Reimbursement Program for the 2017 tax returns. Seniors will be reimbursed \$100.00 if they use a tax preparer who has been issued a preparer tax identification number by the Internal Revenue Service, the KB OHCDC has been excluded
- Tabled the proposed Administrative Office Organizational Structure until the finance meeting with the Casino staff

KEWEENAW BAY INDIAN COMMUNITY – CEO'S OFFICE



INTEROFFICE MEMORANDUM

TO: TRIBAL COUNCIL
FROM: LARRY DENOMIE III, CEO 
DATE: FEBRUARY 3, 2018
RE: MONTHLY REPORT JANUARY 2018

On January 9, Push, Inc., a subcontractor hired by our General Contractor Gundlach Champion, began to bore and install a new water service line for the Baraga Casino and Hotel. Nearing the end of the boring process, it was discovered that Push accidentally ruptured the active waterline near the east side entrance to the casino. The break was first noticed just after noon. In order to repair the break, the entire resort had to be closed and the initial estimated reopening was scheduled for around 5 p.m. that day. Once the repair was complete and pressure restored to the line, water still wasn't present within areas of the facilities. After researching and exploring several options, it was determined that sand had entered the water system and caused blockage of valves. Gundlach called in local plumbers to assist with repairing the issues but the process went late into the evening and additional parts needed weren't readily available. This caused the casino to remain closed throughout the night. The crew returned in the early morning hours of the 10th to continue the repairs and at approximately 2 p.m. the casino was reopened for business, although some of the restrooms remained closed due to additional parts needing to be ordered. All repairs were completed, reports were written by all parties involved, and our insurance carrier was contacted. We have met with Gundlach regarding the issue and they have taken care of the costs of the repairs. The last issue to be resolved relates to the lost revenue we experienced. Our staff is preparing that information and we hope to have that issue resolved next week as well.

We are continuing our work on moving the casino projects forward. The updated market study, required by our financing partners due to the significant changes in the scope of the projects, is underway. Don Wren, Casino GM, and I met with Matt Robinson of Klas Robinson this week to provide the details they require to perform their work on the study. They estimate they will have a draft report to us within a few weeks with the final report expected within two weeks following it. Once we have the final study, the next steps will include meeting with our financing partners, finalization of the Guaranteed Maximum Price proposal by Gundlach Champion, and final review and consideration by Council to approve the GMP. In a final note on this topic, our request for grant funding from the Shakopee Tribe of MN was denied. The request was intended to provide funds toward the Baraga project in hopes of bringing more elements back into the project have they had to be removed to keep the Marquette project scope intact.

Our office was directed to acquire costs proposals to have a review of the Tribe's compensation structure performed. The companies who prepared proposals last year have been contacted and asked to update them.

Hannah Beesley, Personnel Director, has also contacted two other companies to submit proposals of which we received this week. We will be presenting those proposals for your consideration next week.

The Tribe's Housing Department will be soon instituting a new lease to own home ownership program. Doreen Blaker, Director, developed the program and guidelines for Council approval. Information regarding the new program will be coming out soon.

The Elderly Nutrition Program Director has been filled and Diane McMahon will begin work this coming Monday, February 5. During the hiring process Michael Duschene and then Agnes "Totsie" Huecksteadt was brought on board to fill-in. Totsie will work the first week with Diane to help get her settled into the position.

The Youth Program director position has also been filled. Jodene Raasanen began work on January 22. She is settling into the position and working on filling other employee positions that are vacant.

We are continuing to work on filling the Health Director position. The selection committee has interviewed one applicant to date and have an additional two candidates that are finalizing their package submissions to Personnel. The committee will meet to review their information once complete and consider whether interviews are appropriate.

Earlier this week, Darrell Kingbird provided his notice to terminate his employment agreement with the Tribe. Darrell has provided language instruction in both Baraga and L'Anse School districts as well as cultural services and programming for the Community. Gary Loonsfoot, Jr., Director of Cultural Resources, is working on continuation of the programming. The schools will continue to provide the high school level instruction via a substitute teacher. More information will be provided on this as it develops.

Redevelopment and institution of the Tribe's Fire Program is moving forward. The director level position is posted for a two weeks and once it closes, the selection committee will meet and review that applicant pool.

I continue to assist with the development of the tobacco manufacturing project. The license to manufacture has been issued and agreements with partners have been approved. One final approval is needed by our partners on the agreements which is expected very soon. The sales of the product to our retail outlets will be handled by the newly created Asemaa Wholesale and Distribution Company. Asemaa will be a business of the Tribe and managed through the CEO's office.

Tribal Council held a work session on January 22. The session will aid the CEO's office and departments in setting up priorities for the year. It also included review of the employee policy manual which requires updating. That process will continue through additional work sessions. The session also included reviewed of the current and proposed change to the organizational structure of the CEO's office to better align the workload that has developed due the growth across the Tribe.