

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 – MARCH 3, 2018 – 9:00 A.M.**

APPROVED

APR 07 2018

- A. Date: March 3, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:03 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
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr.
Fred Dakota
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot (left at 10:06 a.m.)
Elizabeth D. Mayo

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 3, 2018
- Deletion: President's Report/February 2018
- Addition: New Business- 3. Rodney Loonsfoot – Fishing Tournament

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. 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. A "Thank you" from Sue Haralson, Secretary/Treasurer for Stewards of Bete Grise Preserve
2. A "Thank you" from the Family of Pearl Thoresen
3. A "Thank you" from Congressman Jack Bergman
4. A "Thank you" from Cathy Kass-Aten, Director of Little Brothers Friends of the Elderly
5. A "Thank you" from Cecelia LaPointe and Ajijaak (Crane) Book
6. A "Thank you" from John Folsom, USMC (Ret.), President of Wounded Warriors Family Support
7. Voigt Intertribal Task Force Meeting Minutes January 4, 2018 Watersmeet, Michigan

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

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE FEBRUARY 2018 VICE PRESIDENT'S REPORT. CO-SUPPORTED BY RANDALL R. HAATAJA AND GARY F. LOONSFOOT, JR. 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. Secretary's Report/February 2018 – available for your review

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE FEBRUARY 2018 SECRETARY'S REPORT. SUPPORTED BY TONI J. MINTON. 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.

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

MOTION MADE BY TONI J. MINTON TO APPROVE THE FEBRUARY 2018 CEO'S REPORT. 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.

K. Department Head Reports/January 2018

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE JANUARY 2018 DEPARTMENT HEAD REPORTS. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), TWO OPPOSED (Michael F. LaFernier, Sr., Rodney Loonsfoot), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

L. New Business:

1. Doreen Blaker, Treasurer – Donations/March 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MARCH 2018 DONATIONS AS THE FOLLOWING: \$500.00 TO THE DIABETES OUTREACH NETWORK SPONSORSHIP, \$250.00 TO THE GRAND RAPIDS METRO MINISTRY FOR THE NATIVE AMERICAN ELDERS PROGRAM, AND \$1,000.00 REQUESTED BY BRIGITTE AND MARIAH LAPOINTE-DUNHAM FOR THE SIXTH ANNUAL U.P. HOME HEALTH AND HOSPICE DANCING WITH OUR STARS MARQUETTE COUNTY STYLE CHARITY EVENT. SUPPORTED BY RANDALL R. HAATAJA. TEN 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), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

2. Jennifer Misegan, Vice President – Resolution KB-007-2018 to join the Native Farm Bill Coalition

In support of the “Regaining Our Future” report and the policy initiatives generated therefrom; we request Senators Debbie Stabenow and Gary Peters and Congressman Jack Bergman to lend their support to effective deliberation and enactment of truly relevant legislation to ensure that federal agriculture policy seeks to enhance the development of healthy, accessible, affordable, and nutritious food needed in Indian Country. The 2018 Farm Bill will provide an authorization of federal funding for rural infrastructure initiatives.

MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-007-2018 NATIVE FARM BILL COALITION. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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.

3. Rodney Loonsfoot – Fishing Tournament [Discussion]

Rodney heard complaints and feels it is a conflict of interest for Council Members to participate in fishing tournaments that are held within the Tribe and asked about advertising. Two Council Members were on the winning first place team (Gary Loonsfoot and Chris Swartz) that was held on February 24, 2018.

Rodney Loonsfoot left at 10:06 a.m.

Gary Loonsfoot stated there were 35 teams in the tournament and it took a month to organize with Jeremy Hebert assisting. There were volunteers and donations.

Elizabeth Mayo stated that she was on the winning team of the fishing tournament held during the employee picnic last summer (while on the Council) and the issue was never brought up.

Other Council Members felt that it was not a conflict of interest and many had heard positive feedback from the fishing tournament. It drew many people into the Pressbox and Casino on Friday and Saturday which brought in revenue.

M. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 10:08 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

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

A. Date: March 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: March 3, 2018

G. For Your Information:

1. A "Thank you" from Sue Haralson, Secretary/Treasurer for Stewards of Bete Grise Preserve
2. A "Thank you" from the Family of Pearl Thoresen
3. A "Thank you" from Congressman Jack Bergman
4. A "Thank you" from Cathy Kass-Aten, Director of Little Brothers Friends of the Elderly
5. A "Thank you" from Cecelia LaPointe and Ajijaak (Crane) Book
6. A "Thank you" from John Folsom, USMC (Ret.), President of Wounded Warriors Family Support
7. Voigt Intertribal Task Force Meeting Minutes January 4, 2018 Watersmeet, Michigan

H. President's Report/February 2018

I. Vice President's Report/January-February 2018

J. Secretary's Report/February 2018

K. CEO's Report/February 2018

L. Department Head Reports/January 2018

M. New Business:

1. Doreen Blaker, Treasurer – Donations/March 2018
2. Jennifer Misegan, Vice President – Resolution KB-007-2018 Native Farm Bill Coalition

N. Adjournment:

Vice President February 2018 Monthly Report

- The Keweenaw Bay Indian Community Tobacco Company begun manufacturing tobacco productt on March 1. We are all very excited that all of our hard work is coming to fruition. We are still waiting for approval from the Federal Trade Commission before we are able to sell. It is taking much longer than anyone expected. Product is being made through the weekend. There have been questions about the hiring of employees. This time we needed a few people to work outside of our maintenance staff so we hired two unemployed tribal members. We were looking for members who had machine or manufacturing experience. It's difficult to get anyone who can only work a few days. I did look through the couple of applications in the TERO job bank. One was very young and the other I was unable to reach by phone. The next production run that we do, we will have a posting for temporary workers listing the duties, requirements and necessary experience.
- We are planning a ribbon cutting and grand opening ceremony for next month. We will host tours of the facility so members are able to view the manufacturing process. The date will be announced soon.
- The Tobacco Ordinance of 2018 was passed by the Tribal Council on March 1. This Ordinance now allows for the manufacturing and regulation of tobacco products on the L'Anse Indian Reservation. Some of the key changes in the law are the requirement of a KBIC Fee Stamp. The fees collected from the stamp will now fund the General Welfare Support Program. The Tribe will have a Tobacco Agent whose duty it will be to oversee the compliance of our regulations as well as federal regulations. We have also implemented a limit on the sale of cigarettes to 49 cartons at the retail level, to insure compliance with the Cigarette Contraband Trafficking Act.
- On February 9, the CEO, Tribal Attorney, Realty Officer and I attended a meeting with Chocolay Township Manager, Jon Kangas (who is new), Suzanne Sundell and Brad Johnson. We discussed several issues with the water tower and the force sewer main. We are all aware of the agreements that need to be entered into and Danielle has begun working on them. We are happy with the working relationship we have with Chocolay and where it is going forward.
- Doreen and I attended the NCAI Executive Session in Washington, DC the week of February 12. We met with Representative Jack Bergman and staff of Senator Stabenow. We discussed the ongoing issue that our members are having by being penalized by several federal programs for the GWSPB. There is now the possibility of including language in the upcoming Farm Bill to assist those who are receiving SNAP benefits or BridgeCards. We also talked to them about our Canal Land claim and have asked them to assist by sending letters to the Department of Interior.
- We had a meeting with John Tahsuda, Principal Deputy Assistant Secretary of Indian Affairs along with Counselor Kyle Scherer and Attorney Matthew Kelly regarding the status of our Canal Land Claim. Unfortunately, they did not have any answers for us and gave us a time frame of two weeks. We will be calling them on Monday.
- NCAI's Executive Session was as always, very good. We had the opportunity to hear Senators Catherine Cortez Masto, Lisa Murkowski, Heidi Heitkamp and Jeff Merkley, our Representative Congressman Jack Berman, Secretary of the Interior Ryan Zinke, HUD Secretary Ben Carson, Congresswoman Norma Torres and others. The Session is a great opportunity for us to get a feel for the pulse of Washington, DC first hand and network with other tribal leaders. We also participated in several listening sessions and government to government consultations.

Respectfully submitted,
Jennifer Misegan

KEWEENAW BAY INDIAN COMMUNITY
TRIBAL COUNCIL

February 2018 Report from the Secretary to the Council/Community

(for the March 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

Spring begins March 20! We wish everyone a happy and blessed

Easter on April 1, 2018

Mino-Bimaadizin "Live Well"

Respectfully, Susan J. LaFernier

During February, the Tribal Council held (1) Regular meeting on February 3, 2018, (1) Work Session on February 26, 2018 and (4) Special Council meetings on February 1, 8, 15, and 22, 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.

February 1, 2018 Special Council Meeting (unapproved):

- Closed Session: Ojibwa Casino I and II Financial and Marketing Updates; Radio Stations Operational Plan Update; Language Instructor Update; Nepotism Request; and Tribal Attorney Update

February 3, 2018 Regular Council Meeting (unapproved):

- Approved the President's Report (Warren C. Swartz, Jr.)
January 2018 Report
- Approved the Secretary's (Susan J. LaFernier)
January 2018 Report
- Approved the CEO's (Larry Denomie, III)
January 2018 Report

- Approved the Department Head Reports for December 2017
- Approved the February 2018 Donations: \$500.00 to the Baraga Senior Class of 2018 Lock-in; \$500.00 donation for new equipment to the Marquette County Youth Football; \$1,000.00 to Deena Misegan, NMU student to attend interdisciplinary study in global health care in Central America
- 1st Reading of the Proposed Tobacco Ordinance 2018-01
- Scheduled the 2nd/3rd Readings for February 22, 2018

February 8, 2018 Special Council Meeting (unapproved):

- Approved the January 6, 2018 Tribal Council Meeting Minutes
- Approved the waiver of nepotism request for Tyler Rasanen for the on-call Facility Attendant position at the Youth Department
- Approved Resolution KB 005-2018 that formally approves the re-affirmation of the adoption of the Official Flag and Insignia of the Community and sent to the Commissioner for Trademarks, US Patent and Trademark Office, for entry into the Native American Tribal Insignia Database
- Approved the Tier III Services Agreement with Mary Hindelang, Ph.D., to provide a Terrestrial Invasive Species Management Plan (TISMP) under the Natural Resource Department for \$17,000.00, February 1, 2018-June 30, 2018
- Approved the Tier III Services Agreement with Windsor Solutions, Inc. to provide an environment management database (Phase II) for \$79,907.00, February 26, 2018-September 30, 2018 with the Natural Resource Department
- Approved the bid from Northwest Marine Technology, Inc. for the purchase of a quality control device (QCD) for the coded wire tag injector for \$13,300.00 for the Natural Resource Department
- Approved the proposal from Grand River Anishinaabeg Community, LLC for consultation services for the Community Halfway House Project for \$100,000.00
- Approved the bid from Northern Auto for (3) 2018 Dodge Chargers for the Tribal Police Department patrol cars for \$25,975.00 each

- Approved Amendment Two with the Michigan Economic Development Corporation Grant to extend the term to December 13, 2019 and add \$300,000.00 to complete Phase 2 of the non-motorized pathway connecting Zeba with Sand Point in Baraga
- Approved to offer the position of Gaming Commissioner to William Seppanen
- Approved to accept the resignation of Darrell Kingbird, acknowledge that he has abandoned his position and is not providing duties as of January 30, 2018

February 15, 2018 Special Council Meeting (unapproved):

- Approved the January 12, 18, and 22, 2018 Tribal Council meeting minutes
- Approved by a poll of the Tribal Council-Resolution KB 006-2018 which approves (George) Howard Kimewon as a fluent speaker with a Credential for the Mastery of the Anishnaabe Language
- Approved to allow James Denomie to retire who has been a loyal employee for 20 years
- Approved the Language Instructor Employment Agreement with George Howard Kimewon at Baraga and L'Anse Schools for five months: February 15, 2018-July 15, 2018

February 22, 2018 Special Council Meeting (unapproved):

- Council met with the Lundin Mining Company regarding Eagle Mine: partnership, closure planning, business development
- Approved Personnel Policy 7.3 Closures of Governmental Offices with the changes
- There will not be a 16th Annual Kid's Fishing Derby this year, it was decided to hold the derby every other year
- Approved Resolution KB 004-2018 "2018-2020 Five Year Recreation Plan" to serve as a guideline for improving recreation and enhancing natural resource conservation for the KBIC

- Approved the Tier III Services Agreement with Glenn Sarka PLLC, Marquette to provide Guardian Ad Litem/other services assigned by the Chief Judge of the Tribal Court November 1, 2017-December 31, 2018
- Reviewed the Constitution Committee's review of the BIA's technical comment letter to proposed amendment to the Constitution and By-Laws of the KBIC to add Article IX- Judicial Branch and to conduct a secretarial election
- Approved Peggy Loonsfoot, Jeanne Emery and Clayton Ekdahl to the Election Board for three year terms
- Approved Tashina Emery to the Youth Committee
- Denied approval of a Retainer Agreement with Joseph P. O'Leary to provide Guardian Ad Litem/Other services assigned by the Chief Judge of the Tribal Court February 11, 2018- February 10, 2019 and renegotiate the expenses/compensation


February 26, 2018 Work Session-Special Council Meeting (unapproved):

- 3rd Reading and Review of Motion to Amend Proposed Ordinance 2018-01 The Tobacco Ordinance of 2018 to add the provisions on the manufacture of tobacco products amending Title 21B-The Tobacco Ordinance of 2008 and moving the criminal provisions to Title 3

KEWEENAW BAY INDIAN COMMUNITY - CEO'S OFFICE



INTEROFFICE MEMORANDUM

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

As I reported last month, on January 9, Push, Inc., a subcontractor hired by our General Contractor Gundlach Champion, accidentally ruptured the active waterline near the east side entrance to the Baraga casino and caused the casino to close for just over a 24-hour period. Because of the closure, the Tribe experienced a loss in revenue and additional expenses were incurred to repair the broken line. Gundlach has taken care of the additional expenses and was also considering handling the loss revenues. We have provided Gundlach the information related to the loss revenues and they are currently reviewing. If Gundlach decides they aren't able to reimburse the Tribe, we will move forward with processing an insurance claim. We will follow up with Gundlach next week and I'll provide an update on the issue.

We have received the draft market study from Klas Robinson related to the casino projects. The new market study was required by our financing partners based on the scope of changes that occurred for both the Baraga and Marquette casino projects. The final study should be ready within the next 2-3 weeks. Our project team will be meeting with our financing partners this coming Tuesday at the Marquette Casino to review the draft report and work on next steps.

The casino projects workgroup is also working on finalizing the updated design of the new Marquette Casino hotel. Once we were informed that the hotel couldn't be branded Comfort Inn & Suites, the hotel design needed modifications. Those changes are expected to be complete within the next two weeks.

We have received several applications for the vacant Health Director position. The selection committee has met and performed an initial review of the applicant pool and determined that it is time to close the posting which had been deemed open until filled. The committee feels we have several candidates that meet our needs and the required qualifications. The closing date is set for 4 p.m. on March 16. Following the closing, the selection committee will review the final applicant pool and schedule interviews.

The applicant pool for the Director of Fire and Emergency Management was reviewed by the selection committee. The pool consisted of two applicants one of which was a KBIC member. The position has been offered to the member and we expect to have a response on the offer next week.

Darrell Kingbird, former Language Teacher for the Tribe, has been replaced with George Howard Kimewon. Mr. Kimewon began teaching in the L'Anse and Baraga schools mid-February. Both schools have indicated that he is working out very well and the students are very accepting of the Mr. Kimewon. I would like to extend a Chi Miigwech to Gary Loonsfoot, Jr., Cultural Resources Director, for his work in finding Mr. Kimewon and working through the required processes quickly, to ensure that teaching continued with very little interruption.

Sarah Smith, Asst. CEO, has taken the lead role in the development and construction of the new Halfway House project. The Tribe received Indian Community Development Block Grant funds to construct the building. The preliminary plans and budget for the project have been developed and is under review by staff. The plans have also been reviewed by Indian Health Services staff and their comments will need to be addressed. Sarah will provide an update in the next couple of weeks.

A "descendant" of the Tribe is now defined. Through the work of the Enrollment Board at the request of Tribal Council and approval of Resolution KB-008-2018, a descendant will be considered a person who is the biological child of a Member of the Community. I will be providing notice to all departments to ensure the approved term is utilized for determining eligibility for programs that descendants have access to.

In a final note, the hard work and persistence in making tobacco manufacturing a reality has come to fruition. It was exciting and rewarding to see the first KBIC Tobacco Company cigarettes come off of the manufacturing equipment this week. It has taken a dedicated and supportive team to accomplish this goal – Chi Miigwech to all who had a hand in it!