

KEWEENAW BAY INDIAN COMMUNITY

2019 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
GARY F. LOONSFOOT, JR., Vice President
SUSAN J. LAFERNIER, Secretary
TONI J. MINTON, Assistant Secretary
DOREEN G. BLAKER, Treasurer

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

ROBERT "R.D." CURTIS, JR.
DALE F. GOODREAU
RANDALL R. HAATAJA
KIM KLOPSTEIN
MICHAEL F. LAFERNIER, SR.
RODNEY LOONSFOOT
ELIZABETH D. MAYO

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – FEBRUARY 21, 2019 – 9:00 A.M.

APPROVED

MAR 22 2019

KBIC PRESIDENT'S OFFICE

SIGNATURE: pl

- A. Date: February 21, 2019
- B. Call to Order: Vice President Loonsfoot called the meeting to order at 9:11 a.m.
- C. Invocation: Prayer by Gary Loonsfoot, Jr., Vice President
- D. Roll Call: Present: Gary F. Loonsfoot, Jr., Vice President
Susan J. LaFerner, Secretary
Toni J. Minton, Assistant Secretary
Doreen G. Blaker, Treasurer (arrived at 9:13 a.m.)
Robert R.D. Curtis, Jr.
Dale F. Goodreau
Randall R. Haataja
Kim Klopstein
Michael F. LaFerner, Sr.
Rodney Loonsfoot
Elizabeth D. Mayo

Absent: Warren C. Swartz, Jr., President

Doreen Blaker arrived at 9:13 a.m.

- E. Declaration of Quorum: Vice President Loonsfoot declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 21, 2019
- Deletion: New Business- 1. Kevin Carlisle, Assistant Tribal Attorney – Amended and Restated Operating Agreement for the KBIC Tobacco Company, LLC/Initial Operating Agreement (Signed 02/28/17)
- Additions: Old Business- 1. Larry Denomie III, Ojibwa Casinos General Manager – b) Beverage Agreement with Great Lakes Coca-Cola Distribution, LLC
c) Student Employee Definition

- a) Section II: Wages, Hours of Work, & Benefit Programs – M. Enterprise Employee Compensation During Closure of Government Offices [Review]

MOTION MADE BY TONI J. MINTON TO APPROVE THE ENTERPRISE EMPLOYEE CLOSURE COMPENSATION POLICY AS PRESENTED. (Motion died for lack of support)

The Council will take this under consideration after the finance meeting.

- b) Beverage Agreement with Great Lakes Coca-Cola (Bottling) Distribution, LLC for the Ojibwa Casinos

January 1, 2019 – December 31, 2023

MOTION MADE BY TONI J. MINTON TO APPROVE THE BEVERAGE AGREEMENT WITH GREAT LAKES COCA-COLA DISTRIBUTION, LLC. CO-SUPPORTED BY DOREEN G. BLAKER AND RANDALL R. HAATAJA. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

- c) Student Employee - Definition (Enterprise Manual)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE STUDENT EMPLOYEE ADDITION TO THE ENTERPRISE POLICY MANUAL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Break: 10:25 – 10:40 a.m.

K. New Business:

1. Paul Mooney, Assistant Tribal Attorney –
 - a) Rachel McDonald, Forester – Memorandum of Understanding (MOU) with Indian Land Tenure Foundation and Spatial Informatics Group for the development of a Carbon Conservation Project entitled the National Indian Carbon Coalition (NICC) to provide a carbon credit project feasibility study in the amount of \$17,000.00 (terminates upon completion)

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE MOU WITH THE INDIAN LAND TENURE FOUNDATION AND SPATIAL INFORMATICS GROUP. CO-SUPPORTED BY SUSAN J. LAFERNIER AND RODNEY LOONSFOOT. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

- b) William W. Jondreau, Sr., Chief Judge – Iron County Michigan Sheriff Agreement to House Inmates \$35/day per inmate (terminates with a 30-day notice)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE IRON COUNTY MICHIGAN SHERIFF AGREEMENT TO HOUSE INMATES. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

2. Gary Loonsfoot, Jr., Vice President/William W. Jondreau, Sr., Chief Judge - Joseph P. O'Leary Guardian Ad Litem/Other Services Retainer Agreement (term end date February 10, 2020)

MOTION MADE BY TONI J. MINTON TO APPROVE THE GUARDIAN AD LITEM AND OTHER SERVICES RETAINER AGREEMENT WITH JOSEPH P. O'LEARY. SUPPORTED BY KIM KLOPSTEIN. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

3. Sarah Smith, CEO/Weekly Update/Government Employee Report – available for your review
4. Michael LaFerner, Sr. – Snow Removal for Elderly/Disabled

The Council raised concerns of liability issues and by consensus will allow Tribal members to utilize CAP Emergency funds for snow removal.

L. Closed Session:

1. Paul Mooney, Assistant Tribal Attorney/Sarah Smith, CEO/Evelyn Ravindran, Natural Resources Director/Dione Price, NRD Environmental Specialist/Jason Ayres, Real Estate Officer – Non-Disclosure Agreement Review/Discussion

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:16 A.M. SUPPORTED BY KIM KLOPSTEIN. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:11 P.M. SUPPORTED BY RODNEY LOONSFOOT. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 12:12 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – FEBRUARY 21, 2019 – 9:00 A.M.

A. Date: February 21, 2019

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Gary F. Loonsfoot, Jr., Vice President
 ___ Susan J. LaFerner, Secretary
 ___ Toni J. Minton, Assistant Secretary
 ___ Doreen G. Blaker, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Dale F. Goodreau
 ___ Randall R. Haataja
 ___ Kim Klopstein
 ___ Michael F. LaFerner, Sr.
 ___ Rodney Loonsfoot
 ___ Elizabeth D. Mayo

E. Declaration of Quorum:

F. Approval of Agenda: February 21, 2019

G. For Your Information:

1. Voigt Intertribal Task Force Meeting Minutes January 10, 2019 Crandon, Wisconsin

H. Approval of Meeting Minutes:

1. November 29, 2018
2. December 6, 2018
3. December 13, 2018

I. Larry Denomie III, Ojibwa Casinos General Manager - Weekly Update

J. Old Business:

1. Larry Denomie III, Ojibwa Casinos General Manager – Section II: Wages, Hours of Work, & Benefit Programs – M. Enterprise Employee Compensation During Closure of Government Offices

K. New Business:

1. Kevin Carlisle, Assistant Tribal Attorney - Amended and Restated Operating Agreement for the KBIC Tobacco Company, LLC/Initial Operating Agreement (Signed 02/28/17)
2. Paul Mooney, Assistant Tribal Attorney –
 - a) Rachel McDonald, Forester – Memorandum of Understanding with Indian Land Tenure Foundation and Spatial Informatics Group for the development of a Carbon Conservation Project entitled the National Indian Carbon Coalition
 - b) William W. Jondreau, Sr., Chief Judge – Iron County Michigan Sheriff Agreement to House Inmates
3. Gary Loonsfoot, Jr., Vice President/William W. Jondreau, Sr., Chief Judge - Joseph P. O’Leary Guardian Ad Litem/Other Services Retainer Agreement
4. Sarah Smith, CEO – Weekly Update

L. Closed Session:

1. Paul Mooney, Assistant Tribal Attorney/Sarah Smith, CEO – Non-Disclosure Agreement

M. Adjournment:

Tribal Council Updates:

February 14 - 20, 2019

- I completed my review and analysis of the Keno player's points accumulation. A change to reduce the points accumulated by half was instituted a number of years ago based on the play at poker games. Poker is considered a game of skill and player's decisions can influence the outcome. Keno, on the other hand, isn't a game of skill and operates much like a regular slot machine. I researched the topic, analyzed the play on our machines, both Keno and Poker, and determined that the change on the Keno machines wasn't justified. I have submitted a written request to have the point accumulation value increased on the Keno machines.
- The Baraga project is still on schedule to be completed the end of the month. The leaking roof is being addressed regularly and cost estimates for a permanent solution are coming in. There is the potential to have the problem corrected during the winter months and once I have the estimates I will bring them forward. Area 30 is really starting to take shape and is looking great. The new bar is being installed along with the features and it is amazing – as customers walk through the M38 entrance they will be wowed by its beauty. New bar stools were ordered yesterday to complement the new bar. We will need to look at replacing slot seating as well, but I'm waiting to see where we are at with the contingency funding.
- We experienced additional issues with the new HVAC system. The unit serving Area 30 was put into service but the exhaust vents iced up due their location outside between the casino and Pressbox. The engineers and Trane reps immediately developed a solution which is to install vent stacks upward. The stacks will likely be installed yet this week.
- Mike Needham, Facilities Director and Jeremy Ouellette, Marquette Maintenance Supervisor, attended a Marquette project scheduling meeting. That project continues to be slated for completion late November to early December. Phase II of the interior work of the existing space at the Marquette casino is underway. The space has been walled off and will become the main set of restrooms for the new casino. Slot machines are being moved around the floor and we are hopeful that we will be able to keep them all in play.
- The Lucky 7's renovations are well underway. During the closure a breakfast buffet is being offered by Lucky 7's and they are also continuing to provide the Senior Day meal. I have made the Pressbox non-smoking during the breakfast service for guests to better enjoy their meal. In just a few short days, the contractor was able to strip and prepare the walls for painting, create several walls to better incorporate the waitress station and checkout areas, paint the ceiling grid and replace the tiles and Jason Dunn has completed electrical work for the new lighting. The windows will be replaced in the next couple of days and the floors prepared for the new flooring. I had a good meeting with John Gervais on Tuesday. He introduced us to his GM, who oversees all of his restaurants, and discussed his plans going forward. He has Michelle managing the front of house to ensure service standards are being met and is incorporating a kitchen manager on each shift to ensure the quality of food meets his requirements. He has provided his initial payment toward the renovations and will provide the remainder upon completion. I provided John with our expectations and made it clear that our customers view the restaurant, the food and service it provides, as the Ojibwa Casinos. He was very receptive and completely understands that his success or failure impacts us. He will be working on the menu during the renovations and indicated we'd be some great changes – not price or portion though!



KEWEENAW BAY INDIAN COMMUNITY
CEO'S OFFICE
16429 Beartown Road, Baraga, MI 49908
Phone (906) 353-4104 Email: sarah@kbic-nsn.gov

TO: Tribal Council
FROM: Sarah L. Smith, CEO
RE: Monthly Report
DATE: February 21, 2019

- MISSION STATEMENT :**To provide exceptional services for our membership; a safe, positive work environment for employees and sustained economic prosperity, while protecting our sovereignty and preserving our culture and natural resources for future generations.

VISION STATEMENT :A Tribe that preserves the Anishinaabe culture, advances economic diversity, provides opportunities to enhance independence, and promotes the health and well-being of our Community.
- Updates:** There were several questions raised regarding interpretation of closure for employee timecards including bereavement leave and out of town sick leave status and on call employees scheduled to work and not able to work due to closure. Repairs are necessary at the library that were not budgeted and future repairs necessary.
- Meetings/Conferences:** Met with Natural Resources Department to prepare summary that is coming forth during closed session. I attended a progress meeting with the Housing Department regarding the mold grant. The conference call was later held that day with the HUD office to give them an update on the Tribe's progress. I also attended Tribal Government class and spoke on Tribal Administration at NMU.
- Employee Changes:** There are no direct reporting changes. The government currently has 298 employees, with 219 Native American. This includes 2 hires and 2 separations. This list is being emailed to you.
- Statistical Data/Case Load Information:** I met housing regarding progress of the mold grant repairs. We also had a conference call regarding the progress. I reviewed employee requests regarding promotions and position descriptions. I did an initial review of 3 determinations regarding some complaints.
- Financial Update:** Award for DHHS ACF Child Care and Development Fund was received in the amount of \$231,558. This was more than budgeted for the Pre-Primary program (\$100,252).

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