

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 – MAY 23, 2019 – 9:00 A.M.

APPROVED

JUN 13 2019

KBIC PRESIDENT'S OFFICE
SIGNATURE: 

- A. Date: May 23, 2019
- B. Call to Order: President Swartz called the meeting to order at 9:12 a.m.
- C. Invocation: Lord's Prayer and thoughts and prayers for Al Brunk, Wayne Swartz, Cecelia Dowd, David Ekdahl and community members in need
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Gary F. Loonsfoot, Jr., Vice President (left at 10:54 a.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr.
Randall R. Haataja
Kim Klopstein
Michael F. LaFernier, Sr.
Rodney Loonsfoot
Elizabeth D. Mayo
Absent: Dale F. Goodreau
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 23, 2019
- | | | |
|-----------|---------------|---|
| Deletion: | New Business- | 4. Sarah Smith, CEO/Weekly Update |
| Move: | New Business- | 3. Doreen Blaker, Treasurer – a) Donations/May 2019 to I. |

MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Dale F. Goodreau), MOTION CARRIED.

G. For Your Information:

1. BIA Onsite Review of Social Services and Welfare Assistance Programs June 11-12, 2019
2. 2019 Department of Health & Human Services Annual Regional Tribal Consultations June-July-August
3. Department of Veterans Affairs Strategic Plan (to meet health care demand) Consultation for the VA Mission Act

H. Approval of Meeting Minutes:

1. April 30, 2019

MOTION MADE BY TONI J. MINTON TO APPROVE THE APRIL 30, 2019 MEETING MINUTES. SUPPORTED BY KIM KLOPSTEIN. TEN IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Dale F. Goodreau), MOTION CARRIED.

I. New Business:

1. Doreen Blaker, Treasurer –

- a) Donations/May 2019

MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE MAY 2019 DONATIONS AS THE FOLLOWING: \$250.00 TO THE COALITION TO SAVE THE MENOMINEE RIVER, INC., \$250.00 TO THE BARAGA COUNTY LAKE TROUT FESTIVAL, \$1,000.00 TO SHAY EKDAHL FOR THE MTU MEDLIFE TRIP TO PERU, \$300.00 TO KYLIE MICHAELSON FOR TRAVEL TO THE AAU BASKETBALL GAME, A GIFT BASKET FOR THE INTERTRIBAL TIMBER COUNCIL, \$500.00 TO THE SALVATION ARMY, \$360.00 REGISTRATION FEE FOR MARTY CURTIS AND TEAM TO PARTICIPATE IN THE LVD GOLF TOURNAMENT, AND FUNERAL TRAVEL EXPENSES FOR CHRISTINE BEAUCHAMP USING THE CAP GUIDELINES. SUPPORTED BY KIM KLOPSTEIN. NINE IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), ONE ABSENT (Dale F. Goodreau), MOTION CARRIED.

J. Old Business:

1. Paul Mooney, Assistant Tribal Attorney/Gary Loonsfoot, Jr., Vice President – Consulting Agreement with Quadrant Consulting Group, LLC (Lansing) to seek licensure under the Michigan Medical Marihuana Facility Licensing Act (MMFLA)

May 1, 2019 – December 31, 2019

\$10,000.00 for the month of May and \$6,000.00 per each succeeding month

The contract will automatically terminate on June 1st if the referendum question seeking authorization to utilize funds from the Elder Trust Fund is not approved.

MOTION MADE BY TONI J. MINTON TO APPROVE THE CONSULTING AGREEMENT WITH QUADRANT CONSULTING GROUP, LLC. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr.), ONE OPPOSED (Elizabeth D. Mayo), TWO ABSTAINING (Robert R.D. Curtis, Jr., Rodney Loonsfoot), ONE ABSENT (Dale F. Goodreau), MOTION CARRIED.

2. Paul Mooney, Assistant Tribal Attorney/Erin Johnston, NRD Wildlife Biologist – Resolution KB-011-2019 Moose Population Stewardship Activities on Tribal Lands (Grant funding secured by the Grand Portage Band of Lake Superior Chippewa) (changes from April 25, 2019 meeting)

MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE RESOLUTION KB-011-2019 MOOSE POPULATION STEWARDSHIP ACTIVITIES ON TRIBAL LANDS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Dale F. Goodreau), MOTION CARRIED.

3. Gary Loonsfoot, Jr., Vice President – Central Registry Amendment to remove Tetrahydrocannabinol (THC), the main active ingredient of cannabis.

Caitlin Bowers, Tribal Social Services Director (present) will draft an amendment to the Ordinance Title IV - Juvenile Division pursuant to the Legislative Process.

4. Larry Denomie III, Ojibwa Casinos General Manager – Hiring Selection Guidelines for Enterprise Operations

Review of changes/additions and TERO Director suggestions.

MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE AMENDED HIRING SELECTION GUIDELINES WITH THE CHANGES FOR THE ENTERPRISE OPERATIONS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr.), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Dale F. Goodreau), MOTION CARRIED.

K. Larry Denomie III, Ojibwa Casinos General Manager/Weekly Update – available for your review

Break: 10:54 – 11:13 a.m. (Gary Loonsfoot, Jr., Vice President left)

L. New Business:

1. Paul Mooney, Assistant Tribal Attorney –

- a) Paul Smith (not present) Business License (New) Application for First Catch (Concession Trailer) May 9, 2019 – May 8, 2020

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE NEW BUSINESS LICENSE WITH PAUL SMITH FOR FIRST CATCH. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- b) John Gervais (not present) Business License Renewal for Lucky 7's (Restaurant) May 14, 2019 – May 13, 2020

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BUSINESS LICENSE RENEWAL WITH JOHN GERVAIS FOR THE LUCKY 7'S RESTAURANT. CO-SUPPORTED BY DOREEN G. BLAKER AND KIM KLOPSTEIN. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- c) Richard Geroux (not present) Business License Renewal for Jimaganish Wadokaged (Veteran's Organization Nonprofit Bar and Food Sales) June 23, 2019 – June 22, 2020

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BUSINESS LICENSE RENEWAL WITH RICHARD GEROUX FOR THE JIMAGANISH WADOKAGED. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- d) Jeffery Loman (not present) Business License Renewal for Keweenaw Consulting (Consulting – Tribes/Alaska Corporations) June 12, 2019 – June 11, 2020

MOTION MADE BY TONI J. MINTON TO APPROVE THE BUSINESS LICENSE RENEWAL WITH JEFFERY LOMAN FOR KEWEENAW KONSULTING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- e) Micah and Julie Petoskey (not present) Business License (New) Application for Muscle N Speed (Merchandise Sales) April 9, 2019 – April 8, 2020

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NEW BUSINESS LICENSE WITH MICAH AND JULIE PETOSKEY FOR MUSCLE N SPEED. CO-SUPPORTED BY ROBERT R.D. CURTIS, JR. AND RODNEY LOONSFOOT. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- f) Jason Ayres, Real Estate Officer – Michigan Technological University Tier II Services Agreement to develop a Transportation Safety Management Plan \$12,000.00 (Term of 105 days)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MICHIGAN TECHNOLOGICAL UNIVERSITY TIER II SERVICES AGREEMENT. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- g) Evelyn Ravindran, Natural Resources Director –

- i. Michigan Wild Rice Initiative/Draft Charter (Tribal and State Partnership) for the protection, preservation and restoration of manoomin/mnomen (wild rice)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MICHIGAN WILD RICE INITIATIVE (MWRI)/CHARTER. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- ii. Michigan Health Endowment Fund Letter and Grant Agreement for the Debweyendan Indigenous Gardens Program \$100,000.00 May 2, 2019 – May 1, 2020

MOTION MADE BY TONI J. MINTON TO APPROVE THE MICHIGAN HEALTH ENDOWMENT FUND LETTER AND GRANT AGREEMENT TO SUPPORT THE DEBWEYENDAN INDIGENOUS GARDENS. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- h) Dione Price, NRD Environmental Specialist - Windsor Solutions, Inc. Tier III Services Agreement to provide expansion of the environmental management database and connection to EPA virtual exchange services. Term ending July 31, 2020 \$183,586.00

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE WINDSOR SOLUTIONS, INC. TIER III SERVICES AGREEMENT. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

2. Lyndon Ekdahl, NRD Systems Facility Coordinator –

- a) Kubota Tractor Purchase Bids (4)

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BID FROM QUALITY EQUIPMENT, INC. FOR THE KUBOTA TRACTOR IN THE AMOUNT OF \$20,500.00. SUPPORTED BY RODNEY LOONSFOOT. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- b) Hatchery Incubator Addition Construction Bids (2)

MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE BID FROM KCO FOR THE HATCHERY INCUBATOR IN THE AMOUNT OF \$22,690.00. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

- c) Community Garden 30' X 40' Pole Barn Bids (3)

MOTION MADE BY TONI J. MINTON TO APPROVE THE BID FROM 41 LUMBER FOR THE POLE BARN IN THE AMOUNT OF \$12,255.44. SUPPORTED BY KIM KLOPSTEIN. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

3. Doreen Blaker, Treasurer –

- a) Housing Department Compact Tractor with Cab Bids (6)

MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE BID FROM NORTHLAND LAWN AND SPORT FOR THE JOHN DEERE COMPACT TRACTOR IN THE AMOUNT OF \$55,165.51. CO-SUPPORTED BY MICHAEL F. LAFERNIER, SR. AND RODNEY LOONSFOOT. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

b) 2% Worksheets –

- i. Baraga \$111,738.21 (Resolution KB-013-2019)
- ii. Marquette \$151,299.13 (Resolution KB-014-2019)

MOTION MADE BY TONI J. MINTON TO APPROVE THE TWO PERCENTS AS DISCUSSED FOR BARAGA (RESOLUTION KB-013-2019) AND MARQUETTE (RESOLUTION KB-014-2019). SUPPORTED BY RODNEY LOONSFOOT. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

M. Closed Session:

1. Larry Denomie III, Ojibwa Casinos General Manager - Employee Updates
2. President Swartz – Personnel Issue (Nurse Practitioner Contract)
3. Danielle Webb, Tribal Attorney –
 - a) Personnel Issue – Grievance Procedure
 - b) Fifth Third Bank (Loan) Credit Agreement Draft for the Casino Projects

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 12:00 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

Lunch: 12:01 – 1:06 p.m.

Toni Minton left 1:06 – 1:12 p.m.

Break: 2:32 - 2:41 p.m.

MOTION MADE BY TONI J. MINTON TO GO INTO OPEN SESSION AT 3:15 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

Health Administrator Termination - Soumit Pendharkar

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO TERMINATE SOUMIT PENDHARKAR FOR CAUSE. SUPPORTED BY TONI J. MINTON.

MOTION MADE BY RODNEY LOONSFOOT TO TABLE THE TERMINATION UNTIL THERE IS A FULL COUNCIL PRESENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FOUR IN FAVOR (Toni J. Minton, Doreen G. Blaker, Michael F. LaFernier, Sr., Rodney Loonsfoot), FIVE OPPOSED (Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION DEFEATED.

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO TERMINATE SOUMIT PENDHARKAR FOR CAUSE. SUPPORTED BY TONI J. MINTON. FOUR IN FAVOR (Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr.), TWO OPPOSED (Susan J. LaFernier, Rodney Loonsfoot), THREE ABSTAINING (Doreen G. Blaker, Kim Klopstein, Elizabeth D. Mayo), TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

Elizabeth Mayo stated this is the third time, I hope there is a plan as this will affect the long term health care of our Tribe.

20.0/20.2 Grievance Procedure/C. Grievances with CEO or Appeal of CEO Decision

MOTION MADE BY RANDALL R. HAATAJA TO CHANGE THE GRIEVANCE POLICY BACK TO THE PRIOR DATE OF FEBRUARY 5, 2019 REGARDING APPEALS INVOLVING THE CEO. SUPPORTED BY ROBERT R.D. CURTIS, JR. FIVE IN FAVOR (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr.), FOUR OPPOSED (Susan J. LaFernier, Kim Klopstein, Rodney Loonsfoot, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

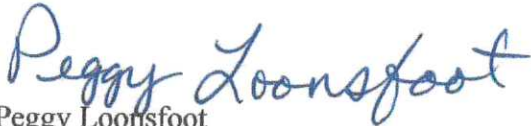
Marquette Tribal Certified Police Officer Posting

MOTION MADE BY RODNEY LOONSFOOT TO PULL THE POSTING FOR THE FULL-TIME POLICE OFFICER IN MARQUETTE DUE TO THE BUDGET CIRCUMSTANCES AND ADVERTISE FOR A PART-TIME OFFICER UNTIL THE END OF THE FISCAL YEAR. SUPPORTED BY ROBERT R.D. CURTIS, JR. TWO IN FAVOR (Robert R.D. Curtis, Jr., Rodney Loonsfoot), TWO OPPOSED (Susan J. LaFernier, Doreen G. Blaker), FIVE ABSTAINING (Toni J. Minton, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Elizabeth D. Mayo), TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), TIE VOTE, MOTION DEFEATED.

N. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:23 P.M. SUPPORTED BY KIM KLOPSTEIN. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Dale F. Goodreau), MOTION CARRIED.

Respectfully submitted,

A handwritten signature in blue ink that reads "Peggy Loonsfoot". The signature is written in a cursive, flowing style.

Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – MAY 23, 2019 – 9:00 A.M.

A. Date: May 23, 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: May 23, 2019

G. For Your Information:

1. BIA Onsite Review of Social Services and Welfare Assistance Programs June 11-12, 2019
2. 2019 Department of Health & Human Services Annual Regional Tribal Consultations
3. Department of Veterans Affairs Strategic Plan Consultation for the VA Mission Act

H. Approval of Meeting Minutes:

1. April 30, 2019

I. Old Business:

1. Gary Loonsfoot, Jr., Vice President –
 - a) Paul Mooney, Assistant Tribal Attorney – Consulting Agreement with Quadrant Consulting Group, LLC
 - b) Central Registry Amendment
2. Paul Mooney, Assistant Tribal Attorney/Erin Johnston, NRD Wildlife Biologist – Resolution KB-011-2019 Moose Population Stewardship Activities on Tribal Lands

3. Larry Denomie III, Ojibwa Casinos General Manager – Hiring Selection Guidelines for Government and Enterprise Operations

J. Larry Denomie III, Ojibwa Casinos General Manager/Weekly Update

K. New Business:

1. Paul Mooney, Assistant Tribal Attorney –
 - a) Paul Smith Business License (New) Application for First Catch (Concession Trailer)
 - b) John Gervais Business License Renewal for Lucky 7's (Restaurant)
 - c) Richard Geroux Business License Renewal for Jimaganish Wadokaged (Veteran's Organization Nonprofit Bar and Food Sales)
 - d) Jeffery Loman Business License Renewal for Keweenaw Konsulting
 - e) Micah and Julie Petoskey Business License (New) Application for Muscle N Speed (Merchandise Sales)
 - f) Jason Ayres, Real Estate Officer – Michigan Technological University Tier II Services Agreement to develop a Transportation Safety Management Plan
 - g) Evelyn Ravindran, Natural Resources Director –
 - i. Draft Michigan Wild Rice Initiative/Charter (Tribal and State Partnership)
 - ii. Michigan Health Endowment Fund Letter and Grant Agreement for the Debweyendan Indigenous Gardens Program
 - h) Dione Price, NRD Environmental Specialist - Windsor Solutions, Inc. Tier III Services Agreement
2. Lyndon Ekdahl, NRD Systems Facility Coordinator –
 - a) Kubota Tractor Purchase Bids (4)
 - b) Hatchery Incubator Addition Construction Bids (2)
 - c) Community Garden Pole Barn Bids (3)
3. Doreen Blaker, Treasurer –
 - a) Donations/May 2019
 - b) 2% Worksheets -
 - i. Baraga \$111,738.21 (Resolution KB-013-2019)
 - ii. Marquette \$151,299.13 (Resolution KB-014-2019)
 - c) Housing Bids
 - i. Compact Tractor with Cab (3)
 - ii. Tractor with Cab (3)
4. Sarah Smith, CEO – Weekly Update

L. Closed Session:

1. Larry Denomie III, Ojibwa Casinos General Manager - Employee Updates
2. President Swartz – Personnel Issue
3. Danielle Webb, Tribal Attorney –
 - a) Personnel Issue
 - b) Fifth Third Bank Loan Documents

M. Adjournment:

Tribal Council Updates:

Through 5/22/19

- I'll start by thanking President Swartz for allowing me to take some time off last week. It was much needed and appreciated.
- The HR Director and Food/Beverage Director position postings closed and it has taken a little time to get the applicant pools together. The selection committee will be meeting next week to review the applications to determine eligibility and scheduling of interviews.
- The hotel room that flooded has had the carpet replaced, walls painted and placed back into service.
- Gundlach is going to be onsite to begin prepping the outside area between the casino and Pressbox. They will be completing the concrete work that couldn't be finished last fall. They are also planning for the removal of the old rooftop HVAC units and installation of the new roof over area 30 that had issues with leaking this past winter.
- The fire alarm system that had been going off regularly and was placed in silence mode has been updated and placed back into full alarm mode. So far the system is working fine.
- There was a very short power outage that occurred on Wednesday the 15th in Baraga. It was so short in nature that the generator didn't have to activate – none of the machines were affected.
- We are waiting on costs to complete the west side entrance area of the casino. The plan is to extend the covered entrance and add fencing that will cover the generator on the north side and delivery area on the south side. Funds were in the GMP for some of the work so we are waiting to see what additional costs there may be.
- We have requested bids to cutout and resurface areas of the parking lot that were dug up during construction. The funds are slated to come from BIA Roads Maintenance which is just under \$20,000 based on the low bid from Superior Paving.
- I received pay request #28 from Gundlach Champion. The total paid after this request, which is just over \$2.4 million, is just over \$26.5 million.
- Change Order #6 for the Marquette project was approved and totaled \$110,513.64 which include the allocation for overage on Baraga project. The new contingency balance remaining is just over \$385,000.
- Change Order #3 for the Baraga project was approved and included the allocation noted above zeroing out the original contingency total which was set at \$79,932. The total project cost for Baraga is at \$3,461,703.64 which is over the GMP by the allocation noted in Change Order #6 for Marquette.