

# 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. LOONSFOT, JR.  
RODNEY LOONSFOT  
ELIZABETH D. MAYO

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**SATURDAY – JUNE 2, 2018 – 9:00 A.M.**

**APPROVED**

OCT 25 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: pl

- A. Date: June 2, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:10 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 (left at 10:30 a.m.)  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Rodney Loonsfoot  
Elizabeth D. Mayo
- Absent: Gary F. Loonsfoot, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 2, 2018
- Additions: New Business-  
2. Elizabeth Mayo – b) Tribal Member Sand Request  
3. Susan LaFernier – Elders' Birthdays  
4. Larry Denomie III, CEO – Marquette Casino Project  
Issue related to the Houses
- Deletions: President's Report/May 2018  
Vice President's Report/May 2018

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

G. For Your Information:

1. A "Thank you" from the Family of Gloria A. Galer
2. A "Thank you" from Shirley Darcy
3. A "Thank you" from Tamarra Devion and the Coffin Family
4. A "Thank you" from the March of Dimes Foundation
5. A "Thank you" from Allison Durant
6. A "Thank you" from Jackie and Larry (Bear) Budreau
7. A "Thank you" from Mat Morgan for Michigan
8. An invite to the Fostering Futures Scholarship Trust Fund Benefit from the Michigan Education Department June 26, 2018 Grand Rapids, MI
9. An invite to a Meet & Greet from the Portage Health Foundation June 27, 2018
10. Tribal Consultation on the *Purchase/Referred Care Chapter Update* from Indian Health Service (Comment Period through July 6, 2018, Conference Call June 11, 2018)
11. BIA Secretarial Election (Article IX Judicial Branch) Update/Schedule. The election will be held entirely by mail.
12. BIA Approval on KBIC's Adoption of Tobacco Ordinance 2018-01 (Amending Title 3 Chapter 3.17 and Title 21B)
13. BIA Midwest Region 7<sup>th</sup> Annual Partners in Action Conference July 17-19, 2018 Milwaukee, WI
14. Notification of Approved Enrollment Applications April 13, 2018 (7)

H. Secretary's Report/April-May 2018 – available for your review

**MOTION MADE BY TONI J. MINTON TO APPROVE THE APRIL AND MAY 2018 SECRETARY'S REPORT. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

I. CEO's Report/May 2018 – available for your review

**MOTION MADE BY RANDALL R. HAATAJA TO APPROVE THE MAY 2018 CEO'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

J. Department Head Reports/March-April 2018

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

K. Recognize Scheduled Delegation/Individuals:

1. Debra Williamson, President of the Ojibwa Senior Citizens Board
  - a) Request for Tribal Employees to use Educational Leave to provide up to four hours working with the Elders during Pasty Sale Fundraisers

Ojibwa Senior Citizens Request for Employee Volunteer Hours -

**MOTION MADE BY JENNIFER MISEGAN TO ALLOW UP TO FOUR HOURS OF LEAVE ONCE A MONTH FOR EMPLOYEES TRIBAL-WIDE AGE 55 AND OLDER TO VOLUNTEER AT THE OJIBWA SENIOR CITIZENS CENTER WITH SUPERVISOR APPROVAL. SUPPORTED BY SUSAN J. LAFERNIER. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

- b) Elder/Disability Pension Trust and the Tribal Council's promise not to use it for collateral for the Casino Projects

The Council has never discussed nor considered using the elder/disability pension trust account as collateral. Jennifer Misegan stated the bank requested a list of programs that potentially could be cut to make the payments of the casino loan if needed. A discussion was held with the CFO to use the interest on the trust account if needed. She will explain in further detail at the Casino Project Community meeting on June 12<sup>th</sup>.

L. New Business:

1. Elizabeth Mayo –
  - a) Resolution KB-020-2018 Tribal Maternal Infant and Early Childhood Home Visiting Grant Program

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE RESOLUTION KB-020-2018 TRIBAL MATERNAL INFANT AND EARLY CHILDHOOD HOME VISITING GRANT PROGRAM. SUPPORTED BY RODNEY LOONSFOOT. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

b) Tribal Member Sand Request for a garage

The consensus is to allow Tribal Members to take sand as long as it is for residential and not commercial use. Larry Denomie will notify the Department of Public Works. It is the Tribal Member's responsibility to hire someone to haul it.

2. Doreen Blaker, Treasurer –

- a) Resolution KB-018-2018 Baraga 2% \$117,339.99
- b) Resolution KB-019-2018 Marquette 2% \$146,129.63

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTIONS KB-018-2018 BARAGA 2% AND KB-019-2018 MARQUETTE 2%. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

c) Donations/June 2018

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JUNE 2018 DONATIONS AS THE FOLLOWING: \$500.00 TO THE CHOCOLAY TOWNSHIP POLICE DEPARTMENT FOR THE BICYCLE SAFETY EDUCATION EVENT, \$360.00 FOR THE FOUR PERSON TEAM SPONSORSHIP TO THE CHAIRMAN'S OPEN SCRAMBLE AND CALCUTTA, \$500.00 TO CAMP NEW DAY U.P., AND TO ALLOW PATRICIA BAWDEN AND HER DAUGHTER TO UTILIZE MEDICAL TRAVEL WITHIN THE CNAP GUIDELINES. SUPPORTED BY SUSAN J. LAFERNIER. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

3. Susan LaFernier, Secretary – Elders' Birthdays

165 elders are on the pension list of which 18 elders will be 80+ years old this year and 2 are aged 90 and 91. Susan would like to recognize them in the Tribal Newsletter.

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE ENROLLMENT DEPARTMENT TO RELEASE THE BIRTHDAY INFORMATION FOR 80 YEARS OLD AND ABOVE FOR THE ANNOUNCEMENTS IN THE NEWSLETTER. SUPPORTED BY SUSAN J. LAFERNIER. NINE 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., Rodney Loonsfoot), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

Elizabeth Mayo stated her opposition: She believes it should be announced for those 62 years old and over.

4. Larry Denomie III, CEO – Marquette Casino Project Issue related to the (3) vacant Houses scheduled to be moved on June 14<sup>th</sup>. He recommended that they be moved.

**Fred Dakota left at 10:30 a.m.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE MOVING THE THREE VACANT HOUSES IN THE MARQUETTE COUNTY HOUSING PROJECTS TO THE PLAYGROUND ON ACORN TRAIL. SUPPORTED BY RANDALL R. HAATAJA. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr.), ONE OPPOSED (Elizabeth D. Mayo), TWO ABSTAINING (Doreen G. Blaker, Rodney Loonsfoot), TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

M. Adjournment:

**MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 10:36 A.M. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**SATURDAY – JUNE 2, 2018 – 9:00 A.M.**

A. Date: June 2, 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: June 2, 2018

G. For Your Information:

1. A "Thank you" from the Family of Gloria A. Galer
2. A "Thank you" from Shirley Darcy
3. A "Thank you" from Tamarra Devion and the Coffin Family
4. A "Thank you" from the March of Dimes Foundation
5. A "Thank you" from Allison Durant
6. A "Thank you" from Jackie and Bear Budreau
7. A "Thank you" from Mat Morgan for Michigan
8. An invite to the Fostering Futures Scholarship Trust Fund Benefit from the Michigan Education Department June 26, 2018
9. An invite to a Meet & Greet from the Portage Health Foundation June 27, 2018
10. Tribal Consultation on the *Purchase/Referred Care Chapter Update* from Indian Health Service (Comment Period through July 6, 2018, Conference Call June 11, 2018)
11. BIA Secretarial Election (Article IX Judicial Branch) Update/Schedule
12. BIA Approval on KBIC's Adoption of Tobacco Ordinance 2018-01 (Amending Title 3 Chapter 3.17 and Title 21B)

13. BIA Midwest Region 7<sup>th</sup> Annual Partners in Action Conference July 17-19, 2018
14. Notification of Approved Enrollment Applications April 13, 2018 (7)

H. President's Report/May 2018

I. Vice President's Report/May 2018

J. Secretary's Report/May 2018

K. CEO's Report/May 2018

L. Department Head Reports/March-April 2018

M. Recognize Scheduled Delegation/Individuals:

1. Debra Williamson, President of the Ojibwa Senior Citizens Board
  - a) Request for Tribal Employees to use Educational Leave to provide up to four hours working with the Elders during Pasty Sale Fundraisers
  - b) Elder/Disability Pension Trust and the Tribal Council's promise not to use it for collateral for the Casino Projects

N. New Business:

1. Doreen Blaker, Treasurer –
  - a) Resolution KB-018-2018 Baraga 2%
  - b) Resolution KB-019-2018 Marquette 2%
  - c) Donations/June 2018
2. Elizabeth Mayo – Resolution KB-020-2018 Tribal Maternal Infant and Early Childhood Home Visiting Grant Program

O. Adjournment:

KEWEENAW BAY INDIAN COMMUNITY  
TRIBAL COUNCIL

*April 2018 Report from the Secretary to the Council/Community*

(for the May 5, 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

Congratulations to all of our Head Start, Kindergarten, High School, and College graduates.

*Mino-Bimaadizin "Live Well"*  
*Respectfully, Susan J. LaFernier*

During April, the Tribal Council held (1) Regular meeting on April 7, 2018 (approved), (1) Work Session on April 30, 2018 and (4) Special Council meetings on April 2 (approved), 12, 19, and 26, 2018. Following are the approved/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.

April 2, 2018 Special Council Meeting (approved):

- Approved the KBIC Housing Department Operations Policy with the changes
- Approved the KBIC Financial Management Policy and Procedures with the changes
- Defeated the list of individual positions regarding the random drug testing that were based on the parameters set forth by the Assistant Tribal Attorney
- Approved the change in the Director of Fire and Emergency Management posting: Incident Commander Type 5 Classification to Type 4 and reposted the position



- Approved to discontinue self-bans at the Enterprises after a requested self-ban hearing
- Defeated a motion to uphold the TERO Officer's decision in regard to complaint hearing case #001-18
- Defeated a motion to offer the KBIC Personnel Director position to the applicant in case #001-18 if there were no other qualified Tribal members that had applied
- Approved to reconsider the list of individual positions regarding the random drug testing (prior motion)
- Approved the list of individual positions regarding the random drug testing which were based on the parameters set forth by the Assistant Tribal Attorney
- Approved the Drug Free Workplace Policy with the changes as discussed including the list of individual positions regarding random testing

April 7, 2018 Regular Council Meeting (approved):

- Approved the President's Report (Warren C. Swartz, Jr.)  
March 2018 Report
- Approved the Vice President's Report (Jennifer Misegan)  
March 2018 Report
- Approved the Secretary's (Susan J. LaFernier)  
March 2018 Report
- Approved the Department Head Reports for February 2018
- Approved the March 1, 3, 8, 2018 Tribal Council Meeting  
Minutes
- Recognized Debra Parrish, President of the Ojibwa Community  
College who retired after 46 cumulative years of service with  
the Tribe
- Approved to oppose the Summit Lake Wind (55 Turbines)  
Project and have a resolution drafted before the next L'Anse  
Township Meeting
- Approved the April 2018 donations: \$250.00 to the Clean  
Water Action Organization for the Great Lakes Award  
Celebration; \$500.00 for the L'Anse 2018 Senior Class Lock-in  
Party; \$250.00 for the Paulette Jordan (Couer d'alene Tribe) for  
Governor of Idaho Campaign; \$350.00 plus the use of a vehicle  
for Tina Durant and daughter Allison to attend a basketball

tournament in Chicago; \$1,000.00 and a gift basket for the Holy Cross Lutheran Church Benefit for Jackie Jones Budreau and Jim Knuuttila for their medical expenses

- Approved July 5<sup>th</sup> as a holiday

April 12, 2018 Special Council Meeting (unapproved):

- Approved to add to the Travel Policy that if a person is away on training on an extended period of time and meals are provided, there will be no per diem
- Approved the Tier III Services Agreement with Evoqua Water Technologies to upgrade the microfiltration system control at the Community's Zeba pump-house by June 1, 2018
- Approved the Tier III Services Agreement with White Water Associates, Inc. to provide baseline data collection on eight (8) wild rice sites and a technical report not to exceed \$40,000.00 and ends on July 1, 2019
- Approved the renewal business license with Troy A. LaFernier "Troy's Tires and Repair" April 6, 2018-April 5, 2019
- Approved Resolution KB 011-2018 KBIC Five Year Timber Harvesting Plan 2018-2023 presented by David Osmak, Agency Forester Michigan Agency B.I.A. to insure sustainable utilization of all timber and non-timber forest resources for Tribal members and continue sustainability for forest health, timber qualify, and forest diversity while protecting water resources, wildlife habitat, and culturally sensitive areas on the Reservation
- Approved Resolution KB 012-2018 that states through adverse impacts on wildlife habitat, wind energy development in our ceded territory unacceptably impacts the Community's hunting, fishing, trapping, and gathering rights protected by the Treaties of 1842 and 1854. The Tribal Council opposes wind energy development in our ceded territory that will have a negative impact on treaty-protected resources
- Approved to remove the TERO approval from all job descriptions
- Approved to hire Robert O. Porter, Capitol Hill Policy Group, LLC to continue resolution of lost lands claim

- Approved a \$1,000.00 reward for information leading to the arrest and conviction of the person or persons responsible for the theft at the Ojibwa BP. Contact the Keweenaw Bay Tribal Policy (906) 353-6626
- Approved the Health Administrator Employment Agreement with Soumit Pendharkar (Traverse City, MI) for three (3) years

April 19, 2018 Special Council Meeting (unapproved):

- Approved the March 15, 2018 Tribal Council Meeting Minutes
- Approved the changes to the Government Personnel Policy 5.0 Personnel Records-6.7 Withholding Taxes
- Approved the initial voting list of those 18 and older living on the Reservation for the upcoming Secretarial Election (Judicial Amendment)
- Approved Option 1 (Phase 1 and 2) for the Marquette/Baraga Casino Projects and to work toward a hotel project for a referendum vote of the people

April 26, 2018 Special Council Meeting (unapproved):

- Approved the March 22 and 26, 2018 Tribal Council Meeting Minutes
- Approved to change the Director of Fire and Emergency Management position announcement from a Grade 10 to a Grade 12 and repost
- Approved the Memorandum of Cooperative Agreement with the Inter-Tribal Council of MI for the Healthy Start Initiative April 1, 2018-March 31, 2019
- Approved the Contract Amendment with the Inter-Tribal Council of MI for the Michigan Health Endowment Fund which decreases the amount of reimbursement by \$2,500.00 and increases the amount of time to fulfill the scope of work for the MI Tribal Food Access Collaborative Project to July 30, 2018
- Approved the Greenway Health Master Agreement Addendum Purchase Schedule for the patient messaging system
- Approved the Provider Participation Agreement with Upper Peninsula Managed Care, LLC to arrange for the provision of health care services to Members enrolled in Plans

- Approved the renewal business license with Diana Chaudier for “Woodland Firearms and Supply” May 15, 2018-May 14, 2019
- Approved the Tier III Services Agreement with Fischer Biological Consulting LLC to provide fish hatchery and pond consulting services to end on December 31, 2019 up to \$20,000.00
- Approved the Biological Services Subcontract with Great Lakes Indian Fish and Wildlife Commission to perform fishery resource assessments in Lake Superior during the Spring-Summer and Fall of 2018 as required
- Approved the Tier IV Services Agreement with the Red Circle Agency (Minneapolis, MN) to create an annual advertising and marketing plan that will increase brand and promotional awareness for the Marquette and Baraga Casinos April 17, 2018-April 16, 2019
- Approved the new business license with Tom Chosa “Silver River Sugarbush” April 19, 2018-April 18, 2019
- Approved the change to the Police Department Drug/Alcohol Testing Policy Chapter 128: Upon reporting for duty, an employee shall notify his supervisor of any controlled or prescribed drugs or internal medications being used that may impair on-duty performance
- Approved the Assistant Tribal Attorney position announcement and to post the position

April 30, 2018 Work Session-Special Council Meeting (unapproved):

- Reviewed the Guidelines for KBIC Members Residing in Baraga and Marquette Counties regarding the (Sovereignty Check) KBIC General Welfare Support Program process
- Reviewed Resolution KB 061-2016 KBIC General Welfare Support Program that replaced the “Christmas Check” and “Sovereignty Check” programs
- Reviewed the KBIC Tribal Code Review and Legislation List and assigned who will be working on the codes and amendments (14)

KEWEENAW BAY INDIAN COMMUNITY  
TRIBAL COUNCIL

*May 2018 Report from the Secretary to the Council/Community*

(for the June 2, 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

Happy Father's Day to all of our Fathers, here on Earth and those who have walked on. Thank you to all of our Veterans for the Memorial Day programs to honor the men and women who died while serving in the U.S. military! Congratulations to KBIC for receiving the 2017 Indian Health Service Green Champion "Sustainable Design & Facilities Award" for the Health Department and New Day's Solar Projects. Thank you Jason Ayres and the C.A.R.E. Committee for all of the hard work that was done regarding the projects.

Regarding the proposed amendment to our Constitution to add Article IX Judicial Branch: watch the mail-June 6, 2018 for the Secretarial Election registration packet which will need to be mailed back by June 26, 2018 in order to vote by mail and then for the ballot mail on July 3, 2018 with July 17 as the Election Date. Be watching for the schedule.

*Mino-Bimaadizin "Live Well"*

*Respectfully, Susan J. LaFernier*

During May, the Tribal Council held (3) Special meetings on May 10, May 17, May 24, 2018 and (1) Work Session on May 21, 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.

May 10, 2018 Special Council Meeting (unapproved):

- Approved a donation of \$1,058.44 to the Baraga Area Schools Physics Class for their May 10-13, 2018 Chicago Trip

- Approved to appoint Diana Chaudier, Jeanne Emery, Kim Klopstein, Peggy Loonsfoot and Susan Lawrence (alternate) to the Secretarial Election Board for the proposed amendment to add Article IX Judicial Branch to the Constitution
- Met with the Dorsey & Whitney Law Firm (3 Attorneys) regarding Annual Updates

May 17, 2018 Special Council Meeting (unapproved):

- Approved the March 29, April 2, and April 7, 2018 Tribal Council Meeting Minutes
- Approved an increase for the THPO Review Fees to \$750.00
- Approved to participate in the Fond du Lac Legal Department Benchmarking Participant Overview with 6-8 Tribes to compare their approaches, practices, and positions against peer organizations
- Approved the Tier III Services Agreement with Superior Pharmacy Services (Michael McLucas) from Marquette, MI to provide fill-in pharmacy services for one year
- Approved the Amendment to Agreement with UpToDate, Inc. to extend the term for one year and the subscription fee for 3 clinicians for \$8,120.00
- Approved the Tier III Services Agreement with MJP Consulting, LLC (Michael J. Popp) Muskego, MI to provide medical coding, medical coding training, and medical coding workflow consulting for one year
- Approved the renewal Business License with John Gervais for the Lucky 7's Restaurant May 14, 2018-May 13, 2019
- Approved the Green Bay Packers, Inc. Radio Network Affiliate Agreement for four years beginning April 1, 2018
- Approved Amendment No. 1 to the Agreement for the provision of professional services with U.P. Engineers & Architects, Inc. for programmed floor plan changes and adds nine weeks to the design schedule for the KBIC Halfway House project
- Approved Resolution KB 013-2018 Tribal Court Decree of Heirship Estate of Linda A. Messer to her three sons
- Approved Resolution KB 014-2018 Tribal Court Decree of Heirship Estate of JoAnne R. Racette

- Approved Resolutions KB 015-2018/016-2018 which grants Harvey Roads (Acorn Trail and the Casino II entrance/parking/lots) in Chocoday Township Right of Way Easements to the KBIC Roads Division
- Approved the May 2018 Donations: \$500.00 American Legion Post 444 for brass grave markers/flags; \$500.00 Native American Rights Fund; \$538.00 Bayside Village for two raised flower beds; \$1,000.00 Trillium (Hospice) House; \$300.00 Robert DesRocher humidifier; \$500.00 Chassell Volunteer Fire Department 65<sup>th</sup> Annual Copper Country Firefighters Tournament Sponsorship; \$250.00 Davan Ravindran Certification Professional Patient Safety course (sports)
- Approved the bid from Creative Interiors (Marquette) for blinds for the Zeba Community Center for \$13,370.00 from the KB Housing Department
- Approved to amend the Drug Free Workplace Policy in the Personnel Handbook removing the paragraph regarding medical marijuana and to recognize it as a prescription drug with a valid prescription. This does not however mean that employees are able to be under the influence of marijuana while working and it does not apply to the Tribal Police Department

May 21, 2018 Work Session-Special Council Meeting (unapproved):

- Reviewed the Tribal Council List of Priorities for updates regarding drafts and revisions of various Tribal Codes
- Resolution KB 061-2016 KBIC General Welfare Support Program discussion regarding the definition of homelessness. The Council will meet with Tribal Court and the Child Support Office to discuss the process regarding withholding agreements, court orders and child support
- Powerpoint presentation and conference call with Robert O. Porter, Managing Principal Capitol Hill Policy Group regarding the Canal and Swamp Lands Claim and the Nonintercourse Claims Act
- Reviewed Personnel Policies 6.8 Exempt Employees Compensatory Time through 7.0-7.11 Hours of Work

- Defeated a motion to remove the mental health days for New Day Treatment Center/Counseling staff and Youth and Family Services Counseling staff
- Approved all staff (Government) to receive mental health days (one every quarter)

May 24, 2018 Special Council Meeting (unapproved):

- Powerpoint presentation by Dr. Guy Meadows, Great Lakes Research Center regarding an “Independent Risk Analysis for the Straits Pipeline” a team proposal to the State of Michigan led by Michigan Technological University
- Approved the Biological Services Subcontract with Great Lakes Indian Fish & Wildlife Commission for a person to monitor and maintain the adult sea lamprey assessment traps at the Silver River near Skanee, MI and the Firesteel River near Ontonagon, MI for ten weeks
- Approve the Biological Services Subcontract with Great Lakes Indian Fish & Wildlife Commission for a person to monitor and maintain the adult sea lamprey assessment trap at the Misery River near Toivola, MI for ten weeks
- Approved the Legal Services Agreement Tier III with Eliason Law Office (Hancock, MI) to provide a limited scope of legal services May 17, 2018-May 16, 2019
- Approved the Superior National Bank ACH Agreements for the KBIC Government, Ojibwa Holding Company, KB Housing Department, Casino, and Senior Pension
- Approved Resolution KB 021-2018 Dianne M. Waara recreational lease on Beartown Road, Baraga, MI
- Approved the bid from Green Timber Consulting Foresters, Inc. (Pelkie, MI) for the KBIC Boundary Line Project (28 miles of timber sales) by December 31, 2018
- Approved to participate in the “Healing Circle Run” July 14-20, 2018 that connects 10 Ojibwe Reservations in northern Wisconsin, Michigan, and Minnesota
- Approved to review the Casino job positions and apply the seven criteria for random drug testing
- Defeated a motion to have employees present their marijuana card before prior to a random drug test



- Defeated a motion to have employees present their marijuana card immediately with the Human Resources/Personnel office
- Approved to have employees present their marijuana card prescription if they test positive/failing the random drug test

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KEWEENAW BAY INDIAN COMMUNITY – CEO'S OFFICE

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INTEROFFICE MEMORANDUM

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TO: TRIBAL COUNCIL  
FROM: LARRY DENOMIE III, CEO   
DATE: JUNE 2, 2018  
RE: MONTHLY REPORT MAY 2018

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We have had a number of director level changes since my last monthly report. Debbie Williamson retired as the Community Assistance Programs Director of which Kim Klopstein has moved into that position. Kim's former position, Administrative Specialist, has not been filled to date but the process of filling it continues. The Personnel Director position, which was held by Hannah Beesley who has moved over to the casino to fill the HR Director position, is now filled by Beth Fish. The Director of Fire and Emergency Services has been filled, after several postings, by Thomas Chosa who has been serving as the IT Director. He will officially begin working the new position on June 11 and the IT Director position will be reviewed by the Selection Committee on Monday to consider a promotion from within the department. Patricia "Trish" Koski has retired from her post as the Tribe's Convenience Stores Manager. Michael Lahti has been serving as the stores assistant manager and has been promoted to manager. An internal posting to fill the assistant manager position didn't work out so it is posted externally for a two-week period. Lori Ann Sherman was serving as the Natural Resources Department Director. She has moved into the position of President of the Keweenaw Bay Ojibwa Community College. Evelyn Ravindran is currently serving as the interim director and an internal posting to fill the position through a promotion will be reviewed by the Selection Committee on Monday. Tyler Larson resigned from the position of Social Services Director. The position was posted and recently closed with no one applying. The position will be reviewed by the Selection Committee for recommendations in moving forward. Jacqui Gorczewicz who is the Lead Services Specialist is serving as the interim director until it is filled. And Liana Loonsfoot, Team Lead of the OVW programs has provided her resignation which will be effective early July. The position is posted and we hope to fill it prior to her departure.

We continue to work on the Baraga and Marquette casino projects. In my last update I provided information related to the need to update market study at the request of our financing partners. Due to the time it has taken to get through that process, changes in sub-contractors pricing, and tariffs imposed on steel and other products, the projects once again went over the Community approved budget. The project workgroup met and discussed options to keep the projects moving forward. Two options were presented to Tribal Council for consideration of which one was approved. The option includes phasing in the hotel for the Marquette project at a later time. This provided a savings to the budget which allowed for expansion of the gaming area to increase the number of slot machines, a better location for the entertainment lounge and bar, and shifted more funds to the Baraga project so much needed upgrades could be incorporated into that plan. We have had discussions with our financing partners regarding those changes and are awaiting their approval to move forward. The funding for

the Marquette hotel phase will require another vote of the membership. The 76 hotel rooms that were planned will more than likely double. Community meetings to discuss the projects are planned for June 18 at the Bingo Hall in Baraga, June 19 at the Zeba Hall in L'Anse, and June 20 at the Harvey Community Center behind the Marquette Casino. The tentative time is 5-7 p.m. at each location. During the community meetings, other updates will be provided as well, including the planned Half-way House project.

The tobacco manufacturing operation and related cigarette sales continue to grow. Products are now available at all of the Tribe's retail locations in Baraga. Plans to expand sales are being considered by the Board of Managers.

The annual Tribal spring cleanup event took place mid-May. Dan Connor, Transfer Station Manager, our Public Works Department staff, and several temporary hires performed curbside pickup on both sides of the bay. A total of 194,600 lbs. were removed which is an increase from last year by about 43,000 lbs. Thank you to all who help keep our reservation clean.

The Tribe's marina and campground opened for the season last week. A review of the fee schedule took place and no changes were made.

There has been much debate and some changes made to the employee Drug Free Workplace policy. The random drug testing policy had been suspended for quite some time then reinstated but on hold while Council gathered information related to prescribed drugs as well as marijuana. In the end, the Michigan Medicinal Marijuana Card, which hadn't been recognized, was approved as an acceptable prescription across all forms of testing required under the policy. Employees will be required to provide their card following testing and a positive result for marijuana to avoid the required consequences. Another change included the positions within the government that are required to submit to random drug testing. Tribal Council selected the positions based on criteria that were developed through case law. Council recently passed a motion to also review the casino positions based on the criteria.

Now that summer is upon us, the summer programs will fire up as well. Jodene Rasanen, Youth and Facility Director, and her staff are gearing up for the summer youth work program and the day camp program for the younger kids. Staff will be incorporating trainings into both segments from programs offered through other departments of the Tribe.

As you can imagine, with all of the director level changes and vacancies, the CEO's office has been quite busy and doing our best to ensure services continue to be provided without interruption.