MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – APRIL 26, 2018 – 9:00 A.M.

A. Date: April 26, 2018

B. Call to Order: President Swartz called the meeting to order at 9:16 a.m.

C. Invocation: Lord’s Prayer and congratulations to President Swartz on his new grandson.

D. Roll Call:
Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Doreen G. Blaker, Treasurer
Fred Dakota (arrived at 10:31 a.m., left at 11:06 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot
Elizabeth D. Mayo (arrived at 9:55 a.m.)

Absent: Jennifer Misegan, Vice President
Robert R.D. Curtis, Jr.

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: April 26, 2018

Addition: Closed Session- 2. Gary Loonsfoot, Jr. – Casino Job Postings

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

LAKE SUPERIOR BAND OF CHIPPEWA INDIANS
"Home of the Midnight Two-Step Championship"
G. Approval of Meeting Minutes:

1. March 22, 2018

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE MARCH 22, 2018 MEETING MINUTES. SUPPORTED BY RANDALL R. HAATAJA. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

2. March 26, 2018

MOTION MADE BY RANDALL R. HAATAJA TO APPROVE THE MARCH 26, 2018 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFoot, JR. FIVE IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), ONE OPPOSED (Rodney Loonsfoot), ONE ABSTAINING (Toni J. Minton), FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

H. Old Business:

1. Larry Denomie III, CEO – Job Description Amendment for Director of Fire and Emergency Management Position Grade 10 to a Grade 12 ($22.00 – 33.00)

The position has been posted twice. There were no applicants for the second posting.

MOTION MADE BY RODNEY LOONSFoot TO AMEND THE DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT POSITION TO A GRADE 12 AND RE-POST. SUPPORTED BY GARY F. LOONSFoot, JR. FOUR IN FAVOR (Toni J. Minton, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), THREE OPPOSED (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja), ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Susan LaFernier stated her opposition: It is unfortunate that it comes down to money versus service.

Doreen Blaker stated her opposition: The position for this program started as strictly volunteer, years of hard work, and that’s a true investment in a program.

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

   a) Kathy Mayo, Interim Health Administrator –
i. The Inter-Tribal Council of Michigan, Inc. Memorandum of Cooperative Agreement for the Healthy Start Initiative entitled “Maajtaag Mnobmaadzid” April 1, 2018 – March 31, 2019 $36,734.00

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE INTER-TRIBAL COUNCIL OF MICHIGAN, INC. MEMORANDUM OF COOPERATIVE AGREEMENT FOR THE HEALTHY START INITIATIVE. CO-SUPPORTED BY TONI J. MINTON AND RODNEY LOONSFoot. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.


MOTION MADE BY RODNEY LOONSFoot TO APPROVE THE INTER-TRIBAL COUNCIL OF MICHIGAN, INC. CONTRACT AMENDMENT FOR THE MICHIGAN TRIBAL FOOD ACCESS COLLABORATIVE PROJECT. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Mayo arrived at 9:55 a.m.

iii. Greenway Health Master Agreement Addendum for Patient Messaging Implementation and Training (monthly subscription)

$347/month - term ending date February 19, 2021

MOTION MADE BY TONI J. MINTON TO APPROVE THE GREENWAY HEALTH MASTER AGREEMENT ADDENDUM FOR PATIENT MESSAGING IMPLEMENTATION AND TRAINING. CO-SUPPORTED BY RANDALL R. HAATAJA AND RODNEY LOONSFoot. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

iv. Upper Peninsula Managed Care, LLC (UPMC) Provider Participation Agreement

1. Upper Peninsula Health Plan (UPHP) Medicaid Addendum
2. Upper Peninsula Health Plan (UPHP) Michigan Health Link Addendum
UPMC is a managed care organization that contracts with practitioners, facilities and entities to provide or arrange for the provision of health care services to Members enrolled in Plans.

Term ending December 31, 2018 and shall automatically renew for additional (1) year terms

MOTION MADE BY TONI J. MINTON TO APPROVE THE PROVIDER PARTICIPATION AGREEMENT WITH UPMC WITH A CHANGE TO 1.4. SUPPORTED BY RANDALL R. HAATAJA. SIX IN FAVOR (Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loosfoot, Elizabeth D. Mayo), ONE OPPOSED (Gary F. Loosfoot, Jr.), ONE ABSTAINING (Susan J. LaFernier), THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

a) Diana Chaudier – Woodland Firearms and Supply Business License Renewal
May 15, 2018 – May 14, 2019

MOTION MADE BY GARY F. LOONSFoot, JR. TO APPROVE THE WOODLAND FIRERAMS AND SUPPLY BUSINESS LICENSE RENEWAL FOR DIANA CHAUDIER. CO-SUPPORTED BY TONI J. MINTON AND MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loosfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

b) Lori Sherman, Natural Resources Director –

i. Evelyn Ravindran, Hatchery-Nursery Manager – Fischer Biological Consulting, LLC Tier III Services Agreement to provide Fish Hatchery and Pond Consulting Services - Term end date December 31, 2019 $20,000.00

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE FISCHER BIOLOGICAL CONSULTING TIER III SERVICES AGREEMENT. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loosfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

ii. Biological Services Subcontract with the Great Lakes Indian Fish & Wildlife Commission for the 2018 Lake Trout Assessments in Lake Superior
Assessment activities shall occur in the 2018 calendar year $41,667.00

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BIOLOGICAL SERVICES SUBCONTRACT WITH THE GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION. SUPPORTED BY GARY F. LOONSFoot, JR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loosfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.
c) James Orr, Marketing Director – Red Circle Agency (Minneapolis, MN) Tier IV Services Agreement for Ojibwa Casino I&II Advertising and Marketing April 17, 2018 – April 16, 2019 $23,500.00/monthly, 15% gross media budget commission, travel expenses

The Consultant will create an annual advertising and marketing plan that will increase brand and promotional awareness and drive valuable players to its gaming enterprises in Marquette and Baraga.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE RED CIRCLE AGENCY TIER IV SERVICES AGREEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), TWO OPPOSED (Susan J. LaFernier, Elizabeth D. Mayo), ONE ABSTAINING (Rodney Loonsfoot), THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

d) Tom Chosa – Silver River Sugarbush Business License Application (New) for Maple Syrup Production and Related Products April 19, 2018 – April 18, 2019

Fred Dakota arrived at 10:31 a.m.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE SILVER RIVER SUGARBUSH NEW BUSINESS LICENSE FOR TOM CHOSA. SUPPORTED BY RODNEY LOONSFoot. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.


MOTION MADE BY GARY F. LOONSFoot, JR. TO APPROVE THE AMENDMENTS TO THE TRIBAL POLICE DEPARTMENT DRUG AND ALCOHOL TESTING POLICY AS PRESENTED. SUPPORTED BY RANDALL R. HAATAJA.

(128.006 Random Testing B. (1) minimum annual rate of 50% officer and employee positions)

MOTION MADE BY RODNEY LOONSFoot TO AMEND THE MOTION TO CHANGE THE MINIMUM RANDOM DRUG TESTING RATE FROM 50% TO 100% OF THE TRIBAL POLICE BECAUSE OF THE HIGHER STANDARDS THAT TRIBAL POLICE ARE SUPPOSED TO BE HELD TO AS STATED IN THE INVESTIGATIVE AND BACKGROUND TRAINING AND BY THE BUREAU. (Motion died for lack of support).
MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE AMENDMENTS TO THE TRIBAL POLICE DEPARTMENT DRUG AND ALCOHOL TESTING POLICY AS PRESENTED. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ONE OPPOSED (Rodney Loonsfoot), ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Rodney Loonsfoot stated his opposition: He believes it's an injustice to the community that our Tribal Police, who are supposed to be held to a higher standard, have suspended their random drug testing. When we receive Bureau funding there needs to be accountability.

3. President Swartz – Assistant Tribal Attorney Position Announcement Review

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE ASSISTANT TRIBAL ATTORNEY POSITION ANNOUNCEMENT AS PRESENTED AND TO POST. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

The Personnel Director position offer to Beth Fish has been accepted.

Kim Klopstein has begun her new role as the CAP Administrator.

A meeting was held with Gundlach Champion/Cunningham regarding the casino projects option 1 approval. (See handout)

Weekly employee job reports were handed out.

A discussion was held regarding the wages for casino cashiers and the lack of applicants. Larry will review the wages and market and bring an updated grade classification list.

Break: 11:06 - 11:20 a.m. (Fred Dakota left)

J. Closed Session:

1. Bobby Escobar, Assistant Tribal Attorney – Philip Hurley Settlement, Waiver & Release Agreement – Remove Trailer from the Zeba Trailer Park
2. Gary Loonsfoot, Jr. – Casino Job/Descriptions Postings
Don Wren, Hannah Beesley present

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:21 A.M. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

MOTION MADE BY GARY F. LOONSFOOT, JR. TO GO INTO OPEN SESSION AT 12:16 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY TONI J. MINTON TO ADJOURN AT 12:17 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Respectfully submitted,

[Signature]
Peggy Loonsfoot
Administrative Specialist
AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – APRIL 26, 2018 – 9:00 A.M.

A. Date: April 26, 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: April 26, 2018

G. Approval of Meeting Minutes:
   1. March 22, 2018
   2. March 26, 2018

H. Old Business:
   1. Larry Denomie III, CEO – Job Description Amendment for Director of Fire and Emergency Management Position

I. New Business:
   1. Bobby Escobar, Assistant Tribal Attorney –
      a) Kathy Mayo, Interim Health Administrator –
         i. The Inter-Tribal Council of Michigan, Inc. Memorandum of Cooperative Agreement for the Healthy Start Initiative entitled “Maajtaag Mnobmaadzid”
ii. Inter-Tribal Council of Michigan, Inc. Contract Amendment for the Michigan Tribal Food Access Collaborative Project
iii. Greenway Health Master Agreement Addendum for Patient Messaging Implementation and Training
iv. Upper Peninsula Managed Care, LLC Provider Participation Agreement
v. Upper Peninsula Health Plan (UPHP) Medicaid Addendum
vi. Upper Peninsula Health Plan (UPHP) Michigan Health Link Addendum
b) Diana Chaudier – Woodland Firearms and Supply Business License Renewal
c) Lori Sherman, Natural Resources Director –
   i. Evelyn Ravindran, Hatchery-Nursery Manager – Fischer Biological Consulting, LLC Tier III Services Agreement to provide Fish Hatchery and Pond Consulting Services
   ii. Biological Services Subcontract with the Great Lakes Indian Fish & Wildlife Commission for the 2018 Lake Trout Assessments in Lake Superior
d) James Orr, Marketing Director – Red Circle Agency Tier IV Services Agreement for Ojibwa Casino I&II Advertising and Marketing
e) Tom Chosa – Silver River Sugarbush Business License Application (New) for Maple Syrup Production and Related Products
2. Dale Dakota, Police Commissioner – Proposed Police Department Drug/Alcohol Testing Policy Amendments (Chapter 128)
3. President Swartz – Assistant Tribal Attorney Position Announcement
4. Larry Denomie III, CEO – Weekly Update

J. Closed Session:

   1. Bobby Escobar, Assistant Tribal Attorney – Philip Hurley Settlement, Waiver & Release Agreement

K. Adjournment:
GCI/Cunningham Meeting Notes: April 24, 2018 10 a.m.

Present: Stan K. and Peter D. (GCI), Jeremy H. (Cunningham via Zoom Meeting), Don W., Jason A., Jim O., Barb M. (KBIC)

- Discussed option 1 approval for Marquette Casino project; expand gaming floor to accommodate up to 750 slots, keep entertainment venue, hold off on hotel until a referendum vote is conducted, hold off on renovating existing casino space other than spaces associated with new restaurant, relocate lounge to new location in expanded casino area, and add another set of restrooms.
- Reviewed site plan to accommodate hotel which may be larger in size. The original site plan already allocated space for a future wing which could provide for up to 150+ rooms.
- Discussed the work being covered by BIA Roads funds. It was decided that no changes would be needed based on moving forward with original site plan.
- Discussed several areas that had been planned in the renovations of the existing casino space; VIP Lounge, offices, etc. Cunningham will look at this to see if there is other space to use. The planned location of the lounge is one area that is being considered. The gift shop could also be relocated to increase the size and allow for the creation of a coffee/pastry shop.
- Reviewed the Baraga Casino scope and list of alternate adds previously planned. The project change included adding back in the HVAC systems to clean the air, new carpeting/ceilings/lighting within the casino space, and completion of the infrastructure items (water, electric, backup generator). Allocation of the additional funds (approximately $675K) was discussed. The thought process in selecting items revolved around the customers' comfort and perception of an improved environment. The initial list includes:
  - $118,000  Updating the exterior casino façade facing M-38
  - $135,000  New casino bar, back bar, and equipment (may be high need to review)
  - $18,000  Renovation of the Guest Services area (match look of MQT Casino)
  - $17,000  Renovation of the Cage area (match look of MQT Casino)
  - $19,000  Replace East (M-38) entrance door with motion sensing sliding doors
  - $100,000  Renovate restaurant (this is potentially high and will be reviewed)
  - $268,000  Remainder used to renovate hotel rooms/replace carpet in hallways
- Discussed project timing. GCI needs two weeks to review numbers. Cunningham needs up to 30 days to finalize MQT design.
- Financing by bank – the market study is finalized but now with the proposed changes, the bank would like the study updated to look at the numbers based on potentially not having a hotel. Klas Robinson indicated they could have the update completed in a few weeks. The bank will need the updated study and the list of areas the Tribe is willing to look at to reduce cash demands in the event there is an issue with payments down the road.
- The next meeting with GCI will take place in two weeks or sooner if needed.
**Employee Report**

**Government**

**Week of:** 4/15/2018

**NEW HIRES/PROMOTIONS**

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<th>Native (X)</th>
<th>Effective Date</th>
<th>Position</th>
<th>Promoted To</th>
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<td>Cashier</td>
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<td>Soli, Amber</td>
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<td>Unit Manager W/O Cert</td>
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**SEPARATIONS**

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**RECLASSIFICATIONS**

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## Employee Report

Ojibwa Casinos

Week of: __4/16/2018__

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