

KEWEENAW BAY INDIAN COMMUNITY

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

2016 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
EDDY EDWARDS
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
DONALD SHALIFOE, SR.

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – JANUARY 9, 2016 – 9:00 A.M.

APPROVED

1-21-16

- A. Date: January 9, 2016
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Opening Song: Ojibwa Prayer by Darrell Kingbird/Woodland Singers (Alden Connor, Jr., Alden Connor III, Daniel Connor, Justin Gauthier, Leroy Gauthier, and Darrell Kingbird)
- D. Invocation: Lord's Prayer
- E. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Toni J. Minton, Secretary
Susan J. LaFernier, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (left at 10:35 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Don Messer, Jr.
- Absent: Eddy Edwards
Donald Shalifoe, Sr.
- F. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- G. Approval of Agenda: January 9, 2016

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AGENDA. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

H. For Your Information:

1. A "Thank you" from Diana Bergh-Hetrick of the Little Friends Children's Center
2. A "Thank you" from Beverly Rice, Felix Fourier, and Ed Gray of the Calumet Art Center
3. A "Thank you" from Lois Trujillo and a Holiday Card
4. A "Thank you" from Mike Sherman and Sherrie Scott
5. A "Thank you" from the Family of Myrtle Tolonen
6. A "Thank you" from Susan Tollefson, Interim Superintendent of L'Anse Area Schools
7. A "Thank you" from Lynn Rodgers, Deputy Treasurer of Forsyth Township
8. A "Thank you" from Pete Mark Wessmen
9. A "Thank you" from Liz Nevala, The Salvation Army of Ishpeming
10. A "Thank you" from Kris Rhodes, American Indian Cancer Foundation
11. A "Thank you" from Fred Cote IV
12. A "Thank you" from Lawrence "Oscar" Denomie
13. A "Thank you" from Sally Patovisti, Activity Director for Bayside Village
14. A "Thank you" from Tanya Sprawl (and Parents) of the Marquette Area Schools Title VII Program
15. A "Thank you" from Barbara Swartz and Damian Swartz
16. A "Thank you" from Don Carlson
17. A "Thank you" from Natalie Mleko and Family
18. A "Thank you" from Jim Welsh's Family
19. A "Thank you" from Scott Vele and MAST
20. A "Thank you" from Helen McCormick, President of Room at the Inn
21. A Holiday Card from the Pallone Family
22. A Holiday Card from the Sokaogon Chippewa Community
23. A Holiday Card from the Lower Sioux Indian Community Tribal Council
24. Voigt Intertribal Task Force Meeting Minutes October 1, 2015 Bayfield, Wisconsin

I. President's Report/November-December 2015 – verbal report

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE NOVEMBER AND DECEMBER 2015 PRESIDENT'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFERNIER, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

J. Secretary's Report/November-December 2015 - available for your review

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE NOVEMBER AND DECEMBER 2015 SECRETARY'S REPORT. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFERNIER, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

K. Treasurer's Report/November-December 2015 – verbal report

MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER AND DECEMBER 2015 TREASURER'S REPORT. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

L. CEO's Report/November-December 2015 – available for your review

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE NOVEMBER AND DECEMBER 2015 CEO'S REPORT. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

M. Department Head Reports/October-November 2015

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE OCTOBER AND NOVEMBER 2015 DEPARTMENT HEAD REPORTS. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr.), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

Michael LaFernier, Sr. stated his opposition: He is opposed because not all of the reports have been turned in.

N. General Manager's Report – FY2016 Quarterly Update for Ojibwa Casinos I & II (general financial performance)

O. Recognize Scheduled Delegation/Individuals:

1. Justin Gauthier – Woodland Boxing Equipment Request

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE A DONATION OF \$300.00 TO JUSTIN GAUTHIER RELATED TO HIS PROFESSIONAL BOXING SPONSORSHIP. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

P. New Business:

1. Doreen Blaker, Treasurer –

a) Donations/January 2016

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE A DONATION OF \$500.00 TO THE MARQUETTE SENIOR HIGH SCHOOL CLASS OF 2016 AND \$4,000.00 TO THE MARQUETTE CITY FIRE DEPARTMENT FROM THE MAY 2016 2% FUNDS. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFERNIER, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

b) 1st Reading Proposed Ordinance 2016-03 Title Four Juvenile Division 4.512 Finding of Probable Cause and Need For Detention C. add: “all parents of a sibling of the child, where such parent has legal custody of such sibling”

Doreen introduced the proposed ordinance 2016-03 and the 2nd Reading was scheduled on February 6, 2016 at 10:00 a.m.

The 3rd Reading for Proposed Ordinance 2015-03 Introduction of Medical Marijuana Tribal Code Sections 3.1707 Medical Marijuana Exception and 3.1708 Unauthorized Sale of Medical Marijuana was also scheduled on February 6, 2016.

2. Jeanne Emery, Election Board Chair – Certification of the December 12, 2015 General Election Results

Jeanne Emery, Election Board Chair, read the results of the December 12, 2015 General Election.

The total percentage of voter turnout was 73% (of the 729 registered voters).

Baraga District: **Warren “Chris” Swartz, Jr. (Inc.) – 322, Fred Dakota – 286, Dan Connor – 217, Sue Ellen Elmlblad “Suzie Carlson” – 205**

L’Anse District: **Susan J. LaFERNIER (Inc.) - 307, Jennifer Misegan (Inc.) – 268, Kevin Perrault – 226, Tracy L. Emery – 222**

Chief Judge: **Bradley T. Dakota (Inc.) - 388**

Proposal 1: “Do you support a new casino development project in Baraga at the current casino site with an estimated cost of \$28 million?” - **Yes – 335** No - 190

Proposal 2: “Do you support a casino development project in Marquette at the current casino site with an estimated cost of \$12 million?” **Yes – 373** No – 150

The percentage of eligible voters that voted in this election was 65% and the percentage of eligible voters that registered for this election was 89%. (729 registered out of 819 eligible)

MOTION MADE BY TONI J. MINTON TO CERTIFY THE DECEMBER 12, 2015 GENERAL ELECTION RESULTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

3. President Swartz - Recognize Outgoing Council Member Don Messer, Jr. (parting gifts)

Break: 10:35 – 10:48 a.m. (Robert R.D. Curtis, Jr. left)

4. Secretary Minton – Swearing in of Tribal Chief Judge – Bradley Dakota

Secretary Minton congratulated Brad and administered the Oath of Office.

5. Secretary Minton - Swearing in of New Tribal Council Members – Fred Dakota, Susan J. LaFernier, Jennifer Misegan, and Warren C. Swartz, Jr.

Secretary Minton congratulated Chris, Fred, Susan, and Jennifer and administered the Oath of Office.

6. Reorganization:

- a) President

Gary Loonsfoot, Sr. nominated Warren C. Swartz, Jr.
Doreen Blaker supported.
Nominations closed.

Warren C. Swartz, Jr. is President

- b) Vice President

Toni Minton nominated Jennifer Misegan.
Randall Haataja supported.
Nominations closed.

Jennifer Misegan is Vice President

c) Secretary

Toni Minton nominated Susan LaFernier.
Gary Loonsfoot, Sr. supported.
Nominations closed.

Susan J. LaFernier is Secretary

d) Assistant Secretary

Jennifer Misegan nominated Toni Minton.
Susan LaFernier supported.
Nominations closed.

Toni J. Minton is Assistant Secretary

e) Treasurer

Randall Haataja nominated Doreen Blaker.
Jennifer Misegan supported.
Nominations closed.

Doreen G. Blaker is Treasurer

The Treasurer reports will be presented on a quarterly basis in the future.

7. Depository of Funds – Superior National Bank and Wells Fargo

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE DEPOSITORY OF FUNDS WITH SUPERIOR NATIONAL BANK AND WELLS FARGO BANK. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFernier), THREE ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

8. Check Signers

MOTION MADE BY JENNIFER MISEGAN THAT THE CHECK SIGNERS WILL REMAIN THE SAME AS LAST YEAR AND BY POSITION RELATED TO THE TRIBAL COURT. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

Q. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 11:00 A.M. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

**AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – JANUARY 9, 2016 – 9:00 A.M.**

A. Date: January 9, 2016

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Jennifer Misegan, Vice President
 ___ Toni J. Minton, Secretary
 ___ Susan J. LaFernier, Assistant Secretary
 ___ Doreen G. Blaker, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Eddy Edwards
 ___ Randall R. Haataja
 ___ Michael F. LaFernier, Sr.
 ___ Gary F. Loonsfoot, Sr.
 ___ Don Messer, Jr.
 ___ Donald Shalifoe, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: January 9, 2016

G. For Your Information:

1. A "Thank you" from Diana Bergh-Hetrick of the Little Friends Children's Center
2. A "Thank you" from Beverly Rice, Felix Fourier, and Ed Gray of the Calumet Art Center
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21. A Holiday Card from the Pallone Family
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23. A Holiday Card from the Lower Sioux Indian Community Tribal Council
24. Voigt Intertribal Task Force Meeting Minutes October 1, 2015 Bayfield, Wisconsin

H. President's Report/November-December 2015

I. Secretary's Report/November-December 2015

J. Treasurer's Report/November-December 2015

K. CEO's Report/November-December 2015

L. Department Head Reports/October-November 2015

M. Recognize Scheduled Delegation/Individuals:

1. Justin Gauthier – Woodland Boxing Equipment Request

N. New Business:

1. Doreen Blaker, Treasurer –
 - a) Donations/January 2016
 - b) 1st Reading Proposed Ordinance 2016-03 Title Four Juvenile Division 4.512
2. Michael Schrader, General Manager Ojibwa Casinos I & II – Casino Update
3. Jeanne Emery, Election Board Chair – Certification of the December 12, 2015 General Election Results
4. President Swartz - Recognize Don Messer, Jr.
5. Secretary Minton – Swearing in of Tribal Chief Judge – Bradley Dakota
6. Secretary Minton - Swearing in of New Tribal Council Members – Fred Dakota, Susan J. LaFernier, Jennifer Misegan, and Warren C. Swartz, Jr.
7. Reorganization:
 - a) President
 - b) Vice President
 - c) Secretary
 - d) Assistant Secretary
 - e) Treasurer
8. Depository of Funds – Superior National Bank and Wells Fargo
9. Check Signers

O. Adjournment:

Keweenaw Bay Indian Community
Tribal Council Secretary's Report
November 2015

In November 2015 the Tribal Council held one Regular Council meeting and 3 Special Council meetings. Actions taken were:

November 7, 2015 Regular Council Meeting

- Approved the President's, Secretary's, Treasurer's and CEO's October 2015 Reports.
- Approved the September 2015 Department Head reports.
- Donated \$5,000.00 to the 2015 Toys for Tots.
- Granted Darrell Kingbird a one year on reservation Visitor Permit for hunting, fishing, trapping and gathering.
- Donated \$5,000.00 to the Marquette County Veteran's Alliance to bring the Vietnam Travelling Wall to Marquette County.
- Approved a \$500.00 President Membership to the Calumet Art Center.
- Approved an extension to the Tier III Services Agreement with Superior Paving for the Rez Stop.
- Approved the Gaming Device Orders between Aristocrat Technologies and the KBIC for the Baraga and Marquette Casinos.
- Approved the Appellate Court Justice Contract with James Bittorf.
- Consensus to have Ojibwa Roads move forward with lease agreements for two front-end loaders, 5 year leases with 5 year warranties, and have the Assistant Tribal Attorney review the leases.
- Directed the Natural Resource Department to provide a recommendation of a possible extension of the small boat fishing season by 11/12/15.
- Certified the results of the 10/31/15 Tribal Council Primary Election.
- Certified the Tribal Council nominees for the 12/12/15 General Election.
- Certified the Judicial Candidate for the 12/12/15 General Election.
- Donated \$500.00 to Bayside Village for activities, \$500.00 to the Baraga Fire Department for the Annual Children's Christmas Party, and \$200.00 to the Bethel United Pentecostal Church for the Annual Community Thanksgiving Dinner.

November 9, 2015 Special Council Meeting

- Reviewed the Baraga and Marquette Casino Projects, plans and budgets.
- Approved all October 2015 meeting minutes.

November 12, 2015 Special Council Meeting

- Approved the Realty truck purchase using FY2015 funds.
- Conducted an Attorney interview.
- Conducted Enterprise Employee Appeal of Dismissal Hearing Case #016-15 and upheld the decision.

- Met with Tribal Commercial Fishermen and Gene Mensch, Fisheries and Wildlife Biologist on extending the small boat fishing season. Gene will meet with the fishermen and bring forward a recommendation for an amendment through the Legislative Process.
- Approved Resolution KB-054-2015 Floyd and Susie Crawford acquisition.
- Approved Resolution KB-055-2015 George "Pete" and Lillian VanStraten Acquisition.
- Approved Resolution KB-059-2015 William K. Seppanen Recreational Lease.
- Approved the Great Lakes Indian Fish and Wildlife Commission Memorandum Of Agreement for the Joint Funding Agreement with the United States Geologic Survey.
- Eliminated random drug testing as of 11/12/15.
- Reduced the re-hire period for employees dismissed for policy violations from 6 months to 2 months.
- Approved Resolution KB-056-2015 Ballot Proposals for the Baraga and Marquette Casino Projects.

November 19, 2015 Special Council Meeting

- Approved a letter allowing Gerald "Joe" Kirkish to do research in Washington DC and Chicago on the history of the KBIC.
- Donated \$1,000.00 to Gerald Kirkish for travel expenses.
- Approved Resolution KB-058-2015 Marquette 2% Distribution. (see attachment)
- Approved Resolution KB-057-2015 Baraga 2% Distribution. (see attachment)
- Donated \$30,000.00 to Bay Ambulance from Clinic 3rd Party funds.
- Donated \$2,500.00 to Save the Wild UP.
- Donated \$100.00 to the Peter and Becca Dove Family Spaghetti Dinner Benefit.
- Approved the Ojibwa BP renewal licenses for alcoholic beverages and taxed tobacco products.
- Approved the Rez Stop renewal licenses for alcoholic beverages and un-taxed tobacco products.
- Approved the Dentist Employment Agreement with Ronald Carmody, DDS.
- Approved the Chief Pharmacist Agreement with Cynthia Gourneau, R.Ph.
- Approved the Aruze gaming device order.
- Approved a 3rd loan to the Ojibwa Holding Company for \$150,000.00.

November 20, 2015 Phone Poll

- Approved the Appeal Process of the Christmas Gift Check Committee.

November 23, 2015 Phone Poll

- Agreed to offer the Tribal Attorney position to Nick Lewis.

Respectfully Submitted,
Toni J. Minton

KEWEENAW BAY INDIAN COMMUNITY

2015 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
JENNIFER MISEGAN, Vice President
TONI J. MINTON, Secretary
SUSAN J. LAFERNIER, Assistant Secretary
DOREEN G. BLAKER, Treasurer

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ROBERT "R.D." CURTIS, JR.
EDDY EDWARDS
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GARY F. LOONSFOOT, SR.
DON MESSER, JR.
DONALD SHALIFOE, SR.

RESOLUTION

KB-058-2015

Page 1 of 3

WHEREAS; the Keweenaw Bay Indian Community is a federally recognized Indian tribe exercising inherent sovereign authority over its members and its territories, and has a reservation created pursuant to the 1854 Treaty with the Chippewa, 10 Stat. 1109; and

WHEREAS; the Keweenaw Bay Indian Community is organized pursuant to the provisions of the Indian Reorganization Act of 1934, 48 Stat. 984, 25 U.S.C. #476, and has a Constitution and Bylaws duly approved by the Secretary of the United States Department of the Interior on December 17, 1936; and

WHEREAS; Article VI, Section 1 (a) of the Keweenaw Bay Indian Community Constitution imposes a duty on the Tribal Council to protect the health, security, and general welfare of the Community; and

WHEREAS; Article VI, Section 1 (c) empowers the Tribal Council to negotiate with Federal, State, and Local governments on behalf of the Community; and

WHEREAS; the Community has negotiated an agreement with the State of Michigan, providing for the payment by the Community of 2% of the net win from its casinos derived from its class III games of chance to local governments and such agreement is memorialized in Sault Ste. Marie Tribe of Chippewa Indians; Grand Traverse Band of Ottawa and Chippewa Indian; Keweenaw Bay Indian Community; Hannahville Indian Community; Bay Mills Indian Community; and Lac Vieux Desert Band of Lake Superior Indians v. John M. Engler (W.D. Mich 1993); and

LAKE SUPERIOR BAND OF CHIPPEWA INDIANS

"Home of the Midnight Two-Step Championship"

WHEREAS: the 2% funds in the amount of \$177,379.70 are available for distribution for Marquette County for the second half of the year 2015, with the request that this money be distributed as follows:

City of Marquette/NMU NASA	\$10,500.00
City of Marquette/Beacon House	\$ 5,000.00
City of Marquette/YMCA	\$15,000.00
City of Marquette/Room At The Inn	\$ 5,000.00
Chocoday Township/Fire Dept, Police Dept., Community	\$45,000.00
Marquette County/AMCAB - Meals on Wheels	\$ 5,000.00
Marquette County/Aging Services Retired and Senior Volunteers	\$ 5,000.00
Marquette County/Health Dept.	\$ 3,000.00
Marquette County/Sheriff	\$ 500.00
City of Negaunee/Great Lakes Recovery Center	\$ 8,000.00
Marquette Area Public Schools/Title VII Native Amer. Educ. Prg.	\$ 7,000.00
Forsyth Township/Michigan State Police U.P.S.E.T.	\$20,000.00
Forsyth Township/Patrol Vehicle	\$27,384.70
Sands Township/Fire Department	\$15,995.00
Sands Township/Teaching Family Homes – High Ropes Course	\$ 5,000.00

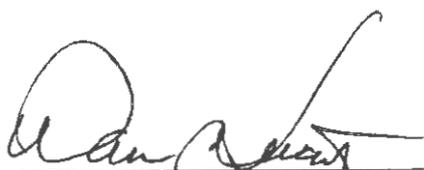
NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby directs that these funds be distributed as soon as practicable to the sponsoring governmental agencies.

RESOLUTION
KB-058-2015
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CERTIFICATION

We, Warren C. Swartz, Jr., President and Toni J. Minton, Secretary of the Keweenaw Bay Indian Community, do hereby certify that this Resolution No. KB-058-2015 to be a true and exact copy as approved by the Tribal Council of the Keweenaw Bay Indian Community at a duly called meeting held on November 19, 2015 there being a quorum present, by a vote of: 10 In Favor, 0 Opposed, and 0 Abstentions, as follows:

Vice President, Jennifer Misegan:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Secretary, Toni J. Minton:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Asst. Secretary, Susan J. LaFerner:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Treasurer, Doreen G. Blaker:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Robert R.D. Curtis, Jr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Eddy Edwards:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Randall R. Haataja:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Michael F. LaFerner, Sr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Gary F. Loonsfoot, Sr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Don Messer, Jr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Donald Shalifoe, Sr.:	AYE	NAY	ABSTAIN	<u>NOT PRESENT</u>
President, Warren C. Swartz, Jr.:	AYE	NAY	ABSTAIN	NOT PRESENT
	(If Required)			


Warren C. Swartz, Jr., President


Toni J. Minton, Secretary

KEWEENAW BAY INDIAN COMMUNITY

2015 TRIBAL COUNCIL

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GARY F. LOONSFOOT, SR.
DON MESSER, JR.
DONALD SHALIFOE, SR.

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WHEREAS; the Keweenaw Bay Indian Community is a federally recognized Indian tribe exercising inherent sovereign authority over its members and its territories, and has a reservation created pursuant to the 1854 Treaty with the Chippewa, 10 Stat. 1109; and

WHEREAS; the Keweenaw Bay Indian Community is organized pursuant to the provisions of the Indian Reorganization Act of 1934, 48 Stat. 984, 25 U.S.C. #476, and has a Constitution and Bylaws duly approved by the Secretary of the United States Department of the Interior on December 17, 1936; and

WHEREAS; Article VI, Section 1 (a) of the Keweenaw Bay Indian Community Constitution imposes a duty on the Tribal Council to protect the health, security, and general welfare of the Community; and

WHEREAS; Article VI, Section 1 (c) empowers the Tribal Council to negotiate with Federal, State, and Local governments on behalf of the Community; and

WHEREAS; the Community has negotiated an agreement with the State of Michigan, providing for the payment by the Community of 2% of the net win from its casinos derived from its class III games of chance to local governments and such agreement is memorialized in Sault Ste. Marie Tribe of Chippewa Indians; Grand Traverse Band of Ottawa and Chippewa Indian; Keweenaw Bay Indian Community; Hannahville Indian Community; Bay Mills Indian Community; and Lac Vieux Desert Band of Lake Superior Indians v. John M. Engler (W.D. Mich 1993); and

WHEREAS: the 2% funds in the amount of \$139,422.96 are available for distribution for Baraga County for the second half of the year 2015, with the request that this money be distributed as follows:

Baraga County	\$36,444.09
Baraga Area Schools	\$41,650.39
Baraga Area Schools/Vikings Football	\$ 9,265.50
Baraga Township	\$14,317.32
Village of Baraga	\$11,714.17
L'Anse Area Schools	\$22,126.77
L'Anse Township	\$ 2,603.15
Village of L'Anse	\$ 1,301.57

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby directs that these funds be distributed as soon as practicable to the sponsoring governmental agencies.

RESOLUTION

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CERTIFICATION

We, Warren C. Swartz, Jr., President and Toni J. Minton, Secretary of the Keweenaw Bay Indian Community, do hereby certify that this Resolution No. KB-057-2015 to be a true and exact copy as approved by the Tribal Council of the Keweenaw Bay Indian Community at a duly called meeting held on November 19, 2015 there being a quorum present, by a vote of: 9 In Favor, 1 Opposed, and 0 Abstentions, as follows:

Vice President, Jennifer Misegan:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Secretary, Toni J. Minton:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Asst. Secretary, Susan J. LaFemier:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Treasurer, Doreen G. Blaker:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Robert R.D. Curtis, Jr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Eddy Edwards:	AYE	<u>NAY</u>	ABSTAIN	NOT PRESENT
Councilperson, Randall R. Haataja:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Michael F. LaFemier, Sr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Gary F. Loonsfoot, Sr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Don Messer, Jr.:	<u>AYE</u>	NAY	ABSTAIN	NOT PRESENT
Councilperson, Donald Shalifoe, Sr.:	AYE	NAY	ABSTAIN	<u>NOT PRESENT</u>
President, Warren C. Swartz, Jr.:	AYE	NAY	ABSTAIN	NOT PRESENT (If Required)


Warren C. Swartz, Jr., President


Toni J. Minton, Secretary

Keweenaw Bay Indian Community
Tribal Council Secretary's Report
December 2015

In December 2015 the Tribal Council held 5 Special Council meetings. Actions taken were:

December 7, 2015 Special Council Meeting

- Approved a Christmas Party for the Baraga Seniors. Dinner attendees to receive a \$50 gift card and those who did not attend to receive \$75 gift cards.
- Approved the Blue Cross Blue Shield Simply Blue Plan as the Employee Health insurance carrier effective 1/01/16.
- Denied the request for an Appeal of Dismissal Hearing that was received past the deadline for requesting an appeal.

December 10, 2015 Special Council Meeting

- Approved the meeting minutes of November 7, 9, 12 and 19, 2015.
- Approved Resolution KB-060-2015 Department of Energy Projects on Indian Lands grant application.
- Approved Resolution KB-061-2015 Tribal Transportation Plan.
- Approved the bid of Independent Roofing and Siding Co. in the amount of \$28, 883.00 for the Vinyl membrane roofing at the Zeba Headstart.
- Approved the funding shortfall for the Keweenaw Bay Underwater Intake Repair Proposal to Ballard Marine Construction for \$6,210.00.
- Approved the following December donations:
 - KBIC Niinigimiwang (OVW) \$1,000.00
 - The Wounded Warrior Project \$1,000.00
 - L'Anse High School Yearbook Ad \$200.00
 - The Salvation Army \$1,000.00
 - American Indian Cancer Foundation \$250.00
- Approved \$5,000.00 for Zeba Hall supplies.
- Amended the KBIC Personnel Policy Manual and the Ojibwa Casino Enterprises Manual to change the job description portion regarding the GED requirement and the waivers for KBIC Members working toward obtaining a GED.
- Donated \$1,000.00 to Denise Moschetto for emergency travel for Bernard Meroni, Jr.
- Granted Harlan Downwind a one year Visitor's Permit for hunting, fishing, trapping and gathering.
- Approved the bid of Gegare Tile in the amount of \$16,556.00 to replace the 2nd floor carpeting at the health center.
- Amended the Services Agreement between the KBIC and Luis Verissimo Consultant Services to create multiple Geodatabases and for LiDAR development.
- Renewed the Business License of Baraga Telephone for Paul Stark.
- Approved the Project Agreement with the Baraga County Road Commissioners for the replacement of the culvert crossing Boyer Creek on Shrine Road.

- Approved the Greenway Health Mediadent Hardware and Software contracts for electronic dental records in the amount of \$30,375.00.
- Renewed the Liquor and Business Licenses of the Pines.
- Approved the Employment Agreement of Nicholas Lewis, Assistant Tribal Attorney.
- Approved the Employment Agreement of Richard Tuisku "Dick Storm" for four years.

December 15, 2015 Special Council Meeting

- Approved Resolution KB-063-2015 Restatement of Qualified Retirement Plans. This is required every 6 years.

December 17, 2015 Special Council Meeting

- Approved the Tier III Services Agreement with Independent Roofing and Siding Company for the Zeba Headstart roofing project in the amount of \$28,883.00.
- Approved Resolution KB-062-2015 USDA Lease Extension until 12/31/18.
- Approved a new Dell Virtual Server in the amount of \$38,771.00.
- Approved allowing employees to carry an unlimited amount of annual leave hours, but a maximum of 240 hours will be paid upon separation.
- Approved the Danielle Webb Tribal Attorney/Tribal Prosecutor Employment Agreement.
- Overturned the CEO's decision in Employee Appeal of Dismissal Case# 018-15.
- Approved a donation request of \$1,000.00 for Denise Moschetto for Bette Meroni.

December 28, 2015 Special Council Meeting

- Made an exception to the Personnel Policy for the Ojibwa Building Supply Manager for Sick Leave Incentive Payout.

Respectfully Submitted,
Toni J. Minton

KEWEENAW BAY INDIAN COMMUNITY – CEO'S OFFICE



INTEROFFICE MEMORANDUM

TO: TRIBAL COUNCIL
FROM: LARRY DENOMIE III, CEO 
DATE: JANUARY 9, 2015
RE: MONTHLY REPORT FOR NOVEMBER 2015

During the month of December 2015, the CEO's office reports the following:

- The Low Income Home Energy Assistance Program aka LIHEAP applicants continue to be funded. Debbie Williamson, CAP Director, has made changes to the processing method in an attempt to streamline it but caused a later than usual funding timeframe. Letters either approving or denying applicants hadn't gone out so after receiving a number of complaints, mostly from our seniors, I instructed Debbie to move the process along. I have been told by Debbie that funds are still available and that members who need assistance with their energy bills should continue to apply.
- Three solar projects have been approved and are in the development stages to be completed this spring. The Tribe's Health Center, New Day Treatment Center, and Natural Resources facility would have arrays installed to help with utility costs. The projects are slated to be funded by Dept of Energy and Indian Health Services federal dollars totaling just over \$950,000.
- A new attorney was hired by the Tribal Council. Nicholas Lewis began working late in December and comes to KBIC from Alaska. He is currently in the process of studying to obtain his MI Bar License as well.
- We, as many employers in the area, are experiencing difficulties in filling positions across the Tribe. In an effort to expand the pool of applicants, policies have been amended to allow members who are 62 years of age and older to be considered for entry level positions as long as they meet the remaining required qualifications. Tribal Council has also approved allowing members who are working on obtaining their GED's to apply for positions. They will be required to submit quarterly reports showing their progress and will have one year to complete the process. We will also be accepting Certificates of Completion issued to

applicants as meeting the High School Diploma/GED requirement. Those certificates are generally issued to students who have met their adjusted high school programming requirements but not the state diploma requirements.

- The Funeral Task Force, comprised of Rodney Loonsfoot, Debbie Williamson, Jennifer Misegan, Susan LaFemier, and myself, met and are continuing to work on exploring the opportunity to offer "green" funerals at KBIC. Rodney had met with Cecil Pavlat of the Sault Ste. Marie Tribe to learn about their offerings and to tour their facilities. Cecil then traveled here to meet with the task force. Rodney is developing a concept plan which will be presented to the task force and then Council in the near future.
- The Tribe has nearly completed its transition in changing providers for health care. We were notified late in 2015 that our current provider, Consumers Mutual Insurance of MI was no longer able to operate in MI as of January 1, 2016. Our broker, VAST, immediately began exploring options to ensure KBIC didn't have to experience a lapse in coverage. After reaching out to several carriers, BCBS of MI turned out to be the only viable option. The transition take place throughout the month of December and coverage with BCBS of MI began effective Jan 1. There have been some hiccups in getting all of the contracts entered into the system by BCBS but we have been told the transition would be complete as of yesterday. The coverage does go retroactive to Jan 1. The move will cost the Tribe more than the budgeted renewal with CMI.
- Following approval by the membership at the December 12 general election, we have begun the process of moving the new casino projects for both the Harvey and Baraga locations forward. We will be utilizing a design./build option for contracting which means the Tribe will contract with only Gundlach Champion to lead the projects as well as provide a Guaranteed Maximum Price. To aid in meeting a spring of 2017 opening of both casinos, initial contracting is underway. We are also developing plans and scheduling meetings with employees and tenants in Harvey who will be impacted by the two projects.
- Part of the transition of moving the Tribes housing entity from an authority to a department required funds previously acquired by the authority to be returned and reissued along with new federal contracts. The process has taken longer than first thought but we have received notice this past week that the funds are now available. The Tribe continues to engage the services of Anderson and Tackman to work on accounting functions. The accounting systems have had to essentially be redeveloped and is taking much longer than initially thought. Financials for both the Housing Department and holding company businesses are finally becoming available and it is expected the businesses FY15 year end will be provided this coming week. The Financial Manager position for the department has finally been filled and Dawn Solka will begin working the first week in February after completing her role with her current employer.