

# KEWEENAW BAY INDIAN COMMUNITY

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

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

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
REGULAR TRIBAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
SATURDAY – MAY 2, 2015 – 9:00 A.M.**

**APPROVED**  
6-25-15

- A. Date: May 2, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:00 a.m.
- Opening Drum Song by LeRoy Gauthier
- C. Invocation: Lord's Prayer
- D. 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. (arrived at 9:06 a.m.)  
Eddy Edwards  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Sr.  
Absent: Don Messer, Jr.  
Donald Shalifoe, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 2, 2015
- Addition: Closed Session- 1. President Swartz – Executive Session Report
- Deletions: Treasurer's Report  
New Business- 2. Doreen Blaker, Treasurer – b) Discussion of a New Legislation regarding Expungement

**Robert R.D. Curtis, Jr. arrived at 9:06 a.m.**

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

G. For Your Information:

1. A "Thank you" from Bernard Duquette on behalf of the Jackie Duquette Family
2. A "Thank you" from Eric Byykkonen, Executive Director of Life Outreach Center
3. A letter from the Federal Communications Commission regarding Petition for Rule Making related to a request for Tribal Priority for a Proposed Allotment
4. A letter from the Bureau of Indian Affairs Michigan Agency regarding Forestry Operations and the Beartown Fire Program – President Swartz has scheduled a meeting for May 18, 2015 at 9:00 a.m.
5. Voigt Intertribal Task Force Meeting Minutes March 6, 2015 Crandon, Wisconsin
6. Assistant CEO Employment Agreement

H. President's Report/March-April 2015 – available for your review

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE MARCH AND APRIL 2015 PRESIDENT'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., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

I. Secretary's Report/April 2015 – available for your review

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE APRIL 2015 SECRETARY'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., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

J. CEO's Report/April 2015 – available for your review

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

K. Department Head Reports/March 2015

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

L. Approval of Meeting Minutes:

1. April 2, 2015

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE APRIL 2, 2015 MEETING MINUTES. SUPPORTED BY RANDALL R. HAATAJA. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr.), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Gary F. Loonsfoot, Sr.), TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

2. April 11, 2015

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE APRIL 11, 2015 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

3. April 16, 2015

**MOTION MADE BY TONI J. MINTON TO APPROVE THE APRIL 16, 2015 MEETING MINUTES. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

**Break: 9:51 – 10:04 a.m.**

M. New Business:

1. Lori Sherman, Director of Natural Resources Department/Danielle Webb, Assistant Tribal Attorney –
  - a) Amendment to Serviccs Agreement and Consultant Agreement with Luis Verissimo related to LiDar Data Development and creation of a geodatabase over a two year time period

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AMENDMENT TO THE SERVICES AGREEMENT AND CONSULTANT AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND LUIS VERISSIMO. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

- b) Baraga County Road Commissioners Gomache Creek Project Agreement for Fish Passages

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE PROJECT AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND THE BARAGA COUNTY ROAD COMMISSION FOR THE REPLACEMENT OF THE CULVERT CROSSING ON THE SOUTH BRANCH OF THE GOMACHE CREEK ON INDIAN ROAD. 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, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

- c) Baraga County Road Commissioners Menge Creek Project Agreement for Fish Passages

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE PROJECT AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND THE BARAGA COUNTY ROAD COMMISSION FOR THE REPLACEMENT OF THE CULVERT CROSSING ON THE MENGE CREEK ON MENGE ROAD. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT 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.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

- d) Fencing Bids (2) by NRD at New Day for the garden and fruit trees

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM OJIBWA BUILDERS FOR THE FENCING PROJECT IN THE AMOUNT OF \$10,200.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT 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.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Eddy Edwards, Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

(Eddy Edwards is out of the room)

- 2. Doreen Blaker, Treasurer –

- a) Donations/May 2015 \$3,500.00

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE MAY 2015 DONATIONS AS THE FOLLOWING: \$500.00 TO CHERYL BRESSETTE FOR MEDICAL TRAVEL TO ANN ARBOR, \$500.00 TO DAVID LAFRENIERE FOR A SUNDANCE SPIRITUAL CEREMONY, \$500.00 TO THE NOKOMIS LEARNING CENTER, \$1,000.00 TO THE NATIVE AMERICAN RIGHTS FUND, \$500.00 TO BARAGA COUNTY RELAY FOR LIFE TEAM SHANAHAN, AND \$500.00 TO BARAGA COUNTY RELAY FOR LIFE TEAM YOOPER KINGS AND QUEENS. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

b) 1st Reading Proposed Amendments to Ordinance 2015-02 Election Ordinance Title Twenty-Two

President Swartz read the Legislative Process.

**MOTION MADE BY DOREEN G. BLAKER TO INTRODUCE AND WAIVE THE 1<sup>ST</sup> READING OF PROPOSED ORDINANCE 2015-02 ELECTION ORDINANCE. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

Diana Chaudier, Election Board Chair, and Danielle Webb, Assistant Tribal Attorney, were present and provided an overview of the changes on the proposal.

President Swartz concluded the 1<sup>st</sup> Reading of Proposed Ordinance 2015-02 Election Ordinance.

The 2nd Reading for Proposed Ordinance 2015-02 Election Ordinance Tribal Code Title Twenty-Two was scheduled for June 6, 2015 at 10:00 a.m.

**2<sup>nd</sup> Reading Proposed Ordinance 2015-01 Tribal Code Title Seven to allow and recognize same sex marriages and update Sections One and Two**

President Swartz read the Legislative Process and Public Hearing Procedures and opened for Public comments.

Susan LaFernier submitted written comments. No further comments received.

[See Legislative File]

President Swartz closed the 2<sup>nd</sup> Reading of Proposed Ordinance 2015-01 Tribal Code Title VII.

The 3<sup>rd</sup> Reading for Proposed Ordinance 2015-01 Tribal Code Title Seven was scheduled for June 6, 2015.

N. Closed Session:

1. President Swartz – Executive Session Report

**MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 11:11 A.M. 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., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

**MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 11:30 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

Gary Loonsfoot, Sr. has written comments to submit on Proposed Ordinance 2015-01 Tribal Code Title Seven related to Same Sex Marriage that he will add to the record.

O. Adjournment:

**MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 11:31 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR TRIBAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**SATURDAY – MAY 2, 2015 – 9:00 A.M.**

A. Date: May 2, 2015

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: May 2, 2015

G. For Your Information:

1. A "Thank you" from Bernard Duquette on behalf of the Jackie Duquette Family
2. A "Thank you" from Eric Byykkonen, Executive Director of Life Outreach Center
3. A letter from the Federal Communications Commission regarding Petition for Rule Making related to a request for Tribal Priority for a Proposed Allotment
4. A letter from the Bureau of Indian Affairs Michigan Agency regarding Forestry Operations and the Beartown Fire Program
5. Voigt Intertribal Task Force Meeting Minutes March 6, 2015 Crandon, Wisconsin
6. Assistant CEO Employment Agreement

H. President's Report/March-April 2015

I. Secretary's Report/April 2015

J. Treasurer's Report/April 2015

K. CEO's Report/April 2015

L. Department Head Reports/March 2015

M. Approval of Meeting Minutes:

1. April 2, 2015
2. April 11, 2015
3. April 16, 2015

N. New Business:

1. Lori Sherman, Director of Natural Resources Department/Danielle Webb, Assistant Tribal Attorney –
  - a) Amendment to Services Agreement and Consultant Agreement with Luis Verissimo related to LiDar Data
  - b) Baraga County Road Commissioners Gomache Creek Project Agreement for Fish Passages
  - c) Baraga County Road Commissioners Menge Creek Project Agreement for Fish Passages
  - d) Fencing Bids
2. Doreen Blaker, Treasurer –
  - a) Donations/May 2015
  - b) Discussion of a New Legislation regarding Expungement
  - c) 1st Reading Proposed Amendments to Ordinance 2015-02 Election Ordinance

O. Adjournment:

**2<sup>nd</sup> Reading Proposed Ordinance 2015-01 Tribal Code Title VII to allow and recognize same sex marriages and update Sections One and Two**

## President Report

March/April 2015

The following is a list of activities that occurred in the office of the President for the months of March and April 2015.

- I appointed Randy Haataja to the Board of Jury Selectors for the communities Tribal Court.
- I informed Ojibwa Housing Authorities Board members in writing of the Council's decision to eliminate the Board of Commissioners and the duties thereof.
- We continue to engage in a government-to-government consultation between U.S. Environmental Protection Agency regarding the Humboldt Mill Historic Ore Processing Facility in Marquette, MI.
  - (See Letter)
- Early in March I attended a meeting with Michigan Department of Quality related to pre-application technical review aspects of potential non-ferrous metallic mineral mining projects. This meeting was attended by KBNRD staff as well as other members of the Lake Superior Bands of Chippewa Indians. The dialogue went well; we exchanged valuable information and set the course for continued consultation around mining projects that affect our way of life.
- Also early in February and March myself and Councilman Loonsfoot attended a number of meetings to educate and inform other Indians about our Home Territory laws as it relates to the exercise of Treaty rights under our jurisdiction. We also did an inventory of the walleye resources in our area and determined that the community has a need for those resources. Based on that inventory and our home territory laws we were able to convince other tribes that the community had a need for the resource. Other tribes took that into consideration and decided not to engage in spring-spearfishing activities of the inland resources within our Home territory.
- I'm happy to report that the community is now a part of a community based Torch Lake Watershed Advisory Council (TLWAC). Their purpose is to communicate Area of Concern (AOC) priorities to the DEQ and EPA and inform the development of a Torch Lake Watershed Management Plan. A focus of the project will be to collect what is already known and share historic and recent project information with the TLWAC so that a common base of knowledge is shared and can be build upon by the group.
- I was informed by our Tribal Forester of a need to meet with BIA regarding the objectives for our Tribal lands before we move forward with logging. He also informed me that we need to consider cultural use and non-timber forest products when we determine objectives on our grand children land. The initial meeting has been set up with the Bureau to discuss his plans regarding the future of our forests.
- I signed Court and Registration Station subcontracts with GLIFWC for 2014. In addition to signing I requested an increase from GLIFWC to help offset labor expenses related to spring-harvesting of walleye. The additional funds were approved by GLIFWC.

- I received a letter from Joseph O’Leary requesting 2% funds on behalf of Baraga County, the Baraga School District, Baraga Township, Baraga Village, the L’Anse School District, L’Anse Township and L’Anse Village. They’re asking that the local units of government in Baraga County receive an amount equivalent to what they used to receive pursuant to a 1994 agreement between KBIC and Baraga County, Baraga Township and L’Anse Township.
- The Keweenaw Bay Tribal Court participated in an assessment prepared by the Jacobson Law Group for the BIA, Office of Justice Services, and Division of Tribal Justice Support. The purpose of the assessment sought to provide an overview of the Tribe’s justice system, recognize areas that function well, and identify areas for improvement. We’ve learned that the KBIC Tribal Court is a high-functioning Court. The court is able to administer justice in a timely and expeditious manner, with cases being resolved well within national averages. Community perception of the Court is positive and Stakeholders are satisfied with the manner in which cases are handled. Although there are minor areas for improvement, overall the Court operates without major areas of concern to the Assessment Team. A meeting has been set to discuss the findings with Tribal Court Staff and Council.
- I accepted the letter of resignation from the executive director of the Ojibwa Housing Authority (OHA). Also, Vicki Dompier was appointed interim executive director of OHA.
- I accepted a letter of resignation from the Tribal Attorney Dan McNeil. We are in the process of finding a replacement for him.
- The KBNRD director has forwarded the Final Draft of the 2014 Fish Management plan to Council for its review prior to approval. The plan is being reviewed for suggested changes.
- We were informed that the MDEQ has approved the Eagle Mine Groundwater Discharge Permit that takes effect on April 1<sup>st</sup>. Last year we submitted comments and recommended a number of changes for influent wastewater characterization, monitoring of the influent, water quality standards, Wastewater Treatment Facility and recommendations for site hydrogeology and monitoring. We also requested that a Clean Water Act NPDES permit be used as an additional regulatory tool at the Eagle Mine WWTF in order to protect tribal trust resources and navigable waters of the United States.
- Early in April the Office of the President authorized the Assistant Tribal Attorney to work on contracts related to Baraga County Road Commission work to replace some culverts. Approval was granted as requested.
- We received funding from CITGO in the amount of about \$18,000.00. This funding will be used to help offset some expenses related to winter time heating, for those that are eligible.
- I signed a letter of support for the “Native American Studies Major” at Northern Michigan University. The Educational Policy Committee is seriously looking at creating this major at NMU. They would be the first University in the State of Michigan to offer this type of program. I was more than happy to support their efforts to get this type of major.
- I participated in a conference call with Abigail Matthews, Grants Management Specialist, from the Eastern/Woodlands Office of Native American Programs. The purpose of the call was to discuss the process for the housing authority to be run as a department of the Tribe.

- The TERO office and I are working on clearing up an issue related to hiring seasonal workers under the WIA program run by the Inter-Tribal Council of Michigan. We are scheduled to appear before the ITC board soon to make our case that our local policy allows the hiring of seasonal workers.
- We are working on forming a Waste Management Committee. One of the goals of the committee is to work on an ordinance related to waste management. We are currently in the notification process to form the committee.
- Recently the Council approved a Bridge loan and an agreement related to the same for Aanikoosing Inc.
- I attended a meeting with Dr. Susan Hedman from Region V out of Chicago, Illinois regarding FY 2016 tribal capacity grants under the Great Lakes Restoration Initiative (GLRI). This proposal would cut KBIC funding by as much as 77.5% from \$200,000.00 per year to \$45,000.00. These drastic cuts are unwarranted and unjustified. It is absurd to suggest that a pool of \$250 million dollars is insufficient to continue to provide a 0.5% share for tribal capacity programs. We need the funding to continue to the good things we have been doing to protect our reservation resources. A government-to-government consultation with EPA is in the works to discuss this decrease in funding levels.
- Based on information received from the communities Natural Resources Department, I decided to open Portage Lake as a quota lake starting at dusk on April 17, 2015. Since the opening of the lake we have harvested about 650 fish. This is well below our quota and the fishing appears to be slowing based on recent reports. As of today (May2, 2015) we are still managing it as a quota lake.
- I received the annual audit report from the communities Ojibwa Community College. The report was forwarded to the council for their review and we will discuss the report with those charged governance in the near future.
- The Office of the President is also continuing ongoing work on the Sales and Use Tax Project, Two Part Concurrence/Fee-to-Trust Application, Employment Law/Grievance Procedures, Marijuana Use on Reservation, Canal Lands and Treatment of Community as State under Clean Water Act.
- The Ojibwa Language Program is set to start in the L'Anse School for the fall of 2015. Early indications are that there appears to be a strong interest in learning the language. This is good news in our efforts to preserve our language.
- Unfortunately we received news that our petition for an additional signal for our radio stations was not approved by the FCC. It appears the FCC is taking a very narrow approach to the newly-adopted Tribal priority procedures, and is going to be highly unwilling to grant any waivers. Essentially they said that we already operate two stations and may have interfered with a Canadian Allotment.

Respectfully submitted,

Warren C. Swartz

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

In April 2015 the Tribal Council held one Regular meeting and 5 Special Council meetings. Actions taken were:

April 2, 2015 Special Meeting

- Approved the December 2014 and January 2015 Department Head Reports.
- Approved the meeting minutes of February 27 and March 2, 2015.
- Approved changes to the contracts and agreements section of the Purchasing and Procurement Policy and also the contract and service agreement procedures for Tiers I, II, III, and IV.
- Approved the check signers for the IDA accounts for the Housing Department to be the individual account holder and the Executive Board.

April 2, 2015 Telephone Poll

- Approved the contract of CEO Larry Denomie, III

April 11, 2015 Regular Meeting

- Approved the Secretary, Treasurer, and CEO reports for March 2015.
- Approved the meeting minutes of August 14 & 29, 2014.
- Approved to include Sobriety travel and Family therapy sessions in the medical travel funds portion of the Community Assistance Program guidelines.
- Approved Resolution KB-015-2015 Department of Justice Sentencing, Monitoring, Apprehending, Registering, Tracking (SMART) Grant Application for FY2015.
- Approved a donation of \$8,000.00 to the Baraga Lumberjack Days Committee for July 4<sup>th</sup> fireworks, \$800.00 to Abbygail Spruce for her class trip to Europe, \$500.00 to Cheryl Bogda's Relay for Life Team, \$1,500.00 to Patricia Bawden for medical travel, \$500.00 to the American Legion Post #444 for flags and grave markers, and agreed to purchase a full-page ad in the Baraga Area Schools yearbook.
- Held the 1st Reading of Proposed Ordinance 2015-01 Title Seven Amendments to Section 1 Marriages and Section 2 Termination of Marriages and scheduled the 2<sup>nd</sup> Reading for May 2, 2015.

April 16, 2015 Special Meeting

- Declared Portage Lake a Quota Lake and agreed to allow the President to determine when it will open.
- Approved the Agreement with Crossmatch for the fingerprint machine purchase.
- Approved the bid from Automated Election Services in the amount of \$29,743.95 to upgrade the TEAMS Enrollment software.
- Approved the meeting minutes of March 12, 14, 19 & 26, 2015.

- Approved the Paradigm Software Standard Support Services Agreement for the Transfer Station.
- Approved Resolution KB-016-2015 to establish a Climate Change Adaptation Initiative.
- Held 3 Employee Grievance Hearings. One Grievance was withdrawn and one grievant did not show.

#### April 17, 2015 Special Meeting

- Upheld the decision of the Council in Case #003-15.
- Upheld the decision of the CEO in Case #004-15, 006-15 and 007-15.
- Approved the Language Program Proposal to post for a Full-Time Language Teacher.
- Approved a 3% annual raise for FY2015 for all Government and Enterprise Employees.

#### April 23, 2015 Special Meeting

- Renewed the Business License of Paul Stark for Baraga Telephone Co.
- Approved the Memorandum of Agreement between the National Indian Health Board and the KBIC to create a strategic plan.
- Approved the Registered Dietician Services Agreement with Dale Schmeisser for the Community's Diabetes Program.
- Approved the Great Lakes Inter-Tribal Council for the Bemidji Area Leaders Acting for Change Contract for governmental services.
- Approved the data use agreement between the KBIC and the Great Lakes Inter-Tribal Epidemiology Center for the collection of data for the Bemidji Area Leaders Acting for Change Project.
- Approved Resolution KB-018-2015 Keweenaw Bay Indian Community Housing Department.
- Approved Resolution KB-017-2015 BIA Cooperative Landscape Conservation Program application.
- Conducted preliminary General Manager Interviews.

#### April 30, 2015 Special Meeting

- Approved the meeting minutes of September 6<sup>th</sup> and 18<sup>th</sup>, 2014.
- Amended the Veterans preference section of the applicant scoring sheet.
- Extended the deadline for Housing Department employees to 9/30/16 to use annual leave over the maximum amount of 240 hours allowed.
- Held an Employee Grievance Hearing and an Employee Appeal of Termination Hearing.
- Overturned the termination in the CEO's decision in Case# 008-15 and gave the employee a 3 day suspension and no back pay.
- Upheld the CEO's decision in Case# 009-15.
- Approved the Aanikoosing Bridge Loan Agreement.
- Approved a \$20,000 budget for an anti Proposal 1 ad campaign.
- Approved Dr. Zobro's Employment Agreement.

Respectfully Submitted,

Toni Minton

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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: MAY 1, 2015  
RE: MONTHLY REPORT FOR APRIL 2015

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

- The FY15 3% annual raise approved April 17 for employees in Grades 5 and higher is being processed by both the enterprise and government payroll departments. Eligible employees should see the raise on their May 8 paychecks. The 10% wage increase approved March 2 for employees below Grade 5 has been processed for some employees this past paycheck and the remainder should see it on their May 8 paychecks. The 10% increase does place the Tribe competitively in the jobs market following the State of MI minimum wage increase in September of 2014 to \$8.15 per hour for non-tipped employees. The state minimum wage is set to increase in January of 2016, 2017, and 2018 to \$8.50, \$8.90, and \$9.25 per hour respectively. The Tribes 10% increase will remain competitive through the state's 2017 increase.
- Our office continues to meet with staff of the Housing Department and Holding Company businesses. Francis LaPointe, CFO, is engaging the services of Lake Accounting to assist current staff until an accountant is hired permanently. We are also in the process of analyzing the organizational structure of both entities and identifying opportunities to mesh operations throughout the Tribe as a means to build capacity, keep employees working during slow periods, and minimize costs.
- The Ojibwa Casinos held employee recognition luncheons mid-April. Five Marquette and three Baraga employees received Jackets for 10 yrs of service, five Marquette and four Baraga employees received \$100 for 15 yrs, three Marquette and eight Baraga employees received \$200 for 20 yrs, three Baraga employees received \$500 for 25 yrs, and one Baraga employee, Lori Picard who is a Shift Manager received \$750 for 30 yrs - she has worked at the Baraga property since it opened in November of 1985. I have attached the complete listing of employees by property for your review.

- Staff participated in a conference call with HUD officials on the 20th. The call was scheduled to discuss the process required to complete the transition of making the Tribes former Tribally Designated Housing Entity a department of the Tribe. Initial documentation has been submitted to proceed with the process and staff are working on the remaining steps. HUD officials indicated that the process should be completed within 30-45 days. We will continue to provide updates as the process moves forward.
- Members of the Tribes Retirement Committee met on April 27 with representatives of M3 Financial, Mass Mutual, and Wells Fargo to review the 401(k) and Defined Benefit retirement plans. The 401(k)'s plan assets have grown 2% from year ending 2013 to 2014 with nearly the same amount of participants. Average account balances have grown 3% year over year and the number of participants with loans grew 3%. Approximately 32% of participants in the plan have loans which is slightly higher than industry averages. Even though the number of participants has grown, the total of outstanding loan balances has decreased by 7%. Review of the investment options available to participants was conducted and several of the underperforming funds have recommended replacement which will be brought to Council for approval. Based on actuarial calculations IRS minimum funding requirements, the Defined Benefit plan doesn't require contributions in the 2015 plan year. However, if contributions aren't made, the plan could require significant contributions in 2016. Since the FY15 approved budgets provides for payments into the plan, the payments will be made. Current asset allocations include 2.95% in cash investments, 1.71% in US Govt. Securities, and 95.34% in mutual funds which represents a three asset class approach. Upon review of the three classes and related performance, a recommendation by our advisors to convert to a four asset class approach was discussed and has the potential of increasing the overall performance of the plan. A formal request explaining the potential benefits and risks will be presented at one of your upcoming meetings for consideration.
- As the process of filling the General Manager position for the Tribes casinos continues, the postings for the Casino Manager positions for each casino will take place. The posting will continue until the GM position is filled and will have the opportunity to select the Casino Manager positions.
- I have included for your review, the random drug screen results for the testing that occurred in February for governmental and enterprise employees.



**TO: Larry Denomie**

**FROM: Vickie LaPorte-Sarasien**

**DATE: May 1, 2015**

**SUBJECT: Employee Recognition**

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**Ten Years: Jackets**

**Carmen Emery.....MQT  
Stephanie Johnston..MQT  
Steve Brozzo.....MQT  
Susan Yankovich.....MQT  
Garrett Johnson.....MQT  
Sarah Anderson.....Baraga  
Rebecca Coleman.....Baraga  
Angel Seppanen.....Baraga**

**15 Years: \$100**

**David Crawford.....MQT  
David Emard.....MQT  
Roxanne Koch.....MQT  
Stephanie Maki.....MQT  
Debby Monty.....MQT  
Donna Carriere.....Baraga  
Wade Nygord.....Baraga  
Michelle Peterson...Baraga  
Patrick Smith.....Baraga**

**20 Years: \$200**

Lisa Bressette.....Marquette  
Carolyn Jossens...Marquette  
John Misegan.....Marquette  
Lawrence Budreau...Baraga  
Angel Commons.....Baraga  
Ronald Everson.....Baraga  
Betty Knapp.....Baraga  
Patrice Mayo.....Baraga  
Jennifer Ollila.....Baraga  
Murry Ross.....Baraga  
Kenneth Vervisch.....Baraga

**25 Years: \$500**

Ann Degenaer.....Baraga  
Marguerite Gasperich...Baraga  
Tammy Moilanen.....Baraga

**30 Years: \$750**

Lori Picard