

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
BIG BUCKS BINGO HALL  
THURSDAY – JULY 18, 2019 – 9:00 A.M.**

A. Date: July 18, 2019

B. Call to Order: President Swartz called the meeting to order at 9:11 a.m.

C. Invocation: Lord’s Prayer

D. Roll Call: Present: Warren C. Swartz, Jr., President (left at 3:00 p.m.)  
Gary F. Loonsfoot, Jr., Vice President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary (left at 12:07 p.m.)  
Doreen G. Blaker, Treasurer  
Dale F. Goodreau (left 12:07 – 1:33 p.m.)  
Randall R. Haataja (left at 12:07 p.m.)  
Kim Klopstein  
Michael F. LaFernier, Sr.  
Rodney Loonsfoot

Absent: Robert R.D. Curtis, Jr.  
Elizabeth D. Mayo

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

F. Approval of Agenda: July 18, 2019

Additions: Recognize Scheduled  
Delegation/Individuals-

Closed Session-

1. Introduction of Todd Forslund the new Human Resources Director (Enterprises)
2. Sarah Smith, CEO – c) Health Director Clarification
5. Joseph O’Leary – Articles of Incorporation of KBIC Elder Trust Fund and By-Laws

- |            |                 |   |
|------------|-----------------|---|
| Deletions: | Closed Session- | 1. Paul Mooney, Assistant Tribal Attorney – ELF Facility Purchase Agreement                   |
|            | New Business-   | 1. Larry Denomie III, Ojibwa Casinos General Manager – a) Bally Gaming, Inc. Master Agreement |

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

G. For Your Information:

1. Department of Environment, Great Lakes, and Energy (EGLE) comments regarding KBIC’s Clean Water Act/Clean Air Act Applications for Treatment as a State
2. New Appointments and Updates to the Indian Health Service (I.H.S.) Senior Leadership Team
3. Notification of Approved Enrollment Applications June 17, 2019 (9) and July 2, 2019 (1)

H. Recognize Scheduled Delegation/Individuals:

1. Introduction of Todd Forslund the new Human Resources Director (Enterprises)
2. Gery Shelafoe, Baraga County Communities that Care Presenter/Carrie Rich, Coordinator – Baraga County Youth Survey Results, Community Action Plan 2018-2020, Community Assessment Report

The Communities That Care (CTC) is an evidence-based coalition model that helps communities to prevent youth problem behaviors, including teen pregnancy, violence, delinquency, school dropout, substance abuse, depression and suicide.

**Break: 9:46 – 9:58 a.m.**

3. Quadrant Consulting Group, LLC – KBIC Cannabis Update (conference call with Manny Lentine, Attorney and Craig Aronoff, Attorney) Joseph O’Leary present

They reviewed (3) Phases: Elder Trust Fund Licensee; Elder Trust Fund equity in Licensee; KBIC direct ownership of Licensee

I. Closed Session:

1. Joseph O’Leary – Draft Articles of Incorporation of KBIC Elder Trust Fund and By-Laws Review

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:36 A.M. SUPPORTED BY KIM KLOPSTEIN. NINE IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 11:13 A.M. CO-SUPPORTED BY GARY F. LOONSFOOT, JR. AND RANDALL R. HAATAJA. NINE IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

**Break: 11:14 – 11:23 a.m.**

J. Approval of Meeting Minutes:

1. June 18, 2019

**MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE JUNE 18, 2019 MEETING MINUTES. SUPPORTED BY DALE F. GOODREAU. EIGHT IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

2. June 27, 2019

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JUNE 27, 2019 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

3. June 28, 2019

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JUNE 28, 2019 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr.), OPPOSED - 0, TWO ABSTAINING (Dale F. Goodreau, Rodney Loonsfoot), TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

K. Old Business:

1. Lily Marcotte, Advisory Board Member Volunteer/Jeanne Emery, Advisory Board Member – Niimigimiwang Advisory Board Donation Request of \$3,000.00 to purchase a sauna for

fundraising purposes (raffle) in order to provide necessary items for the transitional home that grants will not allow. The sauna will be given at the 10<sup>th</sup> Anniversary Chelsey Walk.

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE A DONATION OF \$3,000.00 FOR THE PURCHASE OF A SAUNA RAFFLE FUNDRAISER. SUPPORTED BY KIM KLOPSTEIN. EIGHT IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFerner, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

2. Alden Connor, Jr., Director of Cultural Resources (not present)/Gary Loonsfoot, Jr., Vice President – Temporary Powwow Jobs Discussion. He was also requesting volunteers to work at the powwow.

**MOTION MADE BY RODNEY LOONSFOOT TO ELIMINATE THE ICP BACKGROUND INVESTIGATIONS (FINGERPRINTING) FROM THE KBIC POWWOW HIRING PROCESS IN ORDER TO EMPLOY MORE WORKERS AND ONLY UTILIZE THE STANDARD BACKGROUND CLEARANCES (MDHS AND TRIBAL COURT). SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Gary F. Loonsfoot, Jr., Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot), TWO OPPOSED (Susan J. LaFerner, Randall R. Haataja), ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

3. Larry Denomie III, Ojibwa Casinos General Manager (not present)/Jim Orr, Marketing Director –

- a) New Casino Outdoor Marquee Signs with New Logo Bids (3) for Baraga (2 signs) and Marquette (1 sign)

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE BID FROM COOK SIGN SERVICES IN THE AMOUNT OF \$13,677.71. SUPPORTED BY KIM KLOPSTEIN. EIGHT IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr.), OPPOSED - 0, ONE ABSTAINING (Rodney Loonsfoot), TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

- b) Van Purchases for Baraga and Marquette Casinos (added Purchase Request for 41 Auto Sales to Agenda)

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO TABLE THE PURCHASE REQUEST FOR TWO VANS UNTIL MORE INFORMATION IS PROVIDED BY THE GENERAL MANAGER OF THE CASINOS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Dale F. Goodreau, Randall R. Haataja, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

c) Weekly Update – available for your review

**Lunch: 12:07 – 1:01 p.m. (Toni Minton, Dale Goodreau, Randall Haataja left)**

41 Auto Sales Purchase Request for 2 Transit Passenger Vans for the Baraga and Marquette Casinos (\$28,142.10 and \$28,253.40)

Consensus up to \$55,000.00 on July 11, 2019

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE PURCHASE OF TWO 2018 FORD TRANSIT PASSENGER VANS FROM 41 AUTO SALES IN THE AMOUNT OF \$56,395.50 AS DIRECTED BY THE COUNCIL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. THREE IN FAVOR (Gary F. Loonsfoot, Jr., Kim Klopstein, Michael F. LaFernier, Sr.), THREE OPPOSED (Susan J. LaFernier, Doreen G. Blaker, Rodney Loonsfoot), ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), TIE VOTE. PRESIDENT SWARTZ VOTES IN FAVOR, MOTION CARRIED.**

L. New Business:

1. Paul Mooney, Assistant Tribal Attorney – Sue Ellen and Brian (Non-Tribal) Elmsblad – Back Road Organic Supply Business License Renewal (Indoor/Outdoor Garden Supplies and Retail) August 9, 2019 – August 8, 2020 (Brian will comply with the laws of KBIC)

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE BUSINESS LICENSE RENEWAL FOR BACK ROAD ORGANIC SUPPLY WITH SUE ELLEN AND BRIAN ELMSBLAD. SUPPORTED BY GARY F. LOONSFOOT, JR. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

2. Jason Ayres, Real Estate Officer –

- a) Designation of Lots 13 & 14 of the Beartown Housing Development for use by the Baraga Area Schools Building Trades Program to support the KBIC Housing Department Low Income Home Ownership Program

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE USE OF LOTS 13 AND 14 FOR THE PURPOSE OF WORKING WITH THE BARAGA AREA SCHOOLS BUILDING TRADES PROGRAM TO SUPPORT AFFORDABLE HOME OWNERSHIP OPPORTUNITIES FOR TRIBAL FAMILIES. SUPPORTED BY RODNEY LOONSFOOT. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

The Council discussed the need for a road name. The use of Ojibwa names was suggested (for Windy Way) or past Chairpersons (Swartz Road).

- b) U.P. Engineers & Architects, Inc. Amendment (#3) to Owner-Engineer Agreement for the KBIC/MEDC Baraga Village Marina to Sand Point Lighthouse Non-Motorized Trail Phase 1 additional services for \$12,325.00 effective June 12, 2019

**MOTION MADE BY KIM KLOPSTEIN TO APPROVE AMENDMENT NO. 3 TO THE ENGINEERING SERVICES WITH U.P. ENGINEERS AND ARCHITECTS, INC. SUPPORTED BY SUSAN J. LAFERNIER. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

3. Kathy Mayo, Interim Health Administrator –

- a) Healthcare Learning Software Bid (1) with HealthStream \$17,397.50 (5) years to be paid from two grants

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BID FROM HEALTHSTREAM IN THE AMOUNT OF \$17,397.50 AS PRESENTED. SUPPORTED BY GARY F. LOONSFOOT, JR. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

- b) I.H.S. BEMAR Project Mechanical Work Bid (1) with RC Mechanical, Inc. for maintenance and repair work and several mechanical updates that are needed based on a review by I.H.S. \$68,709.00

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE BID FROM RC MECHANICAL IN THE AMOUNT OF \$68,709.00. SUPPORTED BY KIM KLOPSTEIN. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

4. Doreen Blaker, KBIC Housing Department Director – Indian Housing Plan (IHP) Report for FY2020/U.S. Department of Housing and Urban Development (HUD)

**MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE INDIAN HOUSING PLAN REPORT FOR FY2020. SUPPORTED BY RODNEY LOONSFOOT. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

5. President Swartz – Ojibwa Seniors Michigan Indian Elders Association (MIEA) Board Members Sandra Pittsley, Lois Bedell - Delegates and Wanda Seppanen – Alternate

**MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE MIEA DELEGATES AS SANDRA PITTSLEY AND LOIS BEDELL AND THE ALTERNATE AS WANDA SEPPANEN. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Dale F. Goodreau, Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

6. Gary Loonsfoot, Jr., KBIC Cannabis Developer/Weekly Update – Verbal Report/Quadrant Update by conference call this morning

Danielle Webb, Tribal Attorney will call Mary Streitz from Dorsey & Whitney Law Firm tomorrow to finalize the purchase agreement for the ELF facility.

7. Sarah Smith, CEO/Weekly Update – available for your review

**Dale Goodreau returned at 1:33 p.m.**

[Closed Session]

2. Sarah Smith, CEO –
  - a) DEA Pharmacy Audit July 9, 2018 Update
  - b) Dr. Zobro Contract Update
  - c) Health Director Job Posting Clarification
3. Danielle Webb, Tribal Attorney – Update
4. President Swartz – KBIC Tobacco Company Travel

**MOTION MADE BY RODNEY LOONSFOOT TO GO INTO CLOSED SESSION AT 1:35 P.M. SUPPORTED BY KIM KLOPSTEIN. SEVEN IN FAVOR (Gary F. Loonsfoot, Jr., Susan J. LaFernier, Doreen G. Blaker, Dale F. Goodreau, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

**President Swartz left at 3:00 p.m.**

(Vice President Loonsfoot is chairing)

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 3:13 P.M. SUPPORTED BY KIM KLOPSTEIN. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Dale F. Goodreau, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

8.3 Retirement Benefits iii. Sick Leave Payout for Contracted Employees

**MOTION MADE BY DALE F. GOODREAU TO APPROVE THAT CONTRACTED EMPLOYEES WITH A MINIMUM OF 15 YEARS OF SERVICE WITH THE KEWEENAW BAY INDIAN COMMUNITY AND ARE AT LEAST 55 YEARS OF AGE WILL BE PAID A MAXIMUM OF 208 HOURS OF THEIR SICK LEAVE. CO-SUPPORTED BY DOREEN G. BLAKER AND RODNEY LOONSFOOT. SIX IN FAVOR (Susan J. LaFerner, Doreen G. Blaker, Dale F. Goodreau, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

M. Adjournment:

**MOTION MADE BY KIM KLOPSTEIN TO ADJOURN AT 3:15 P.M. SUPPORTED BY RODNEY LOONSFOOT. SIX IN FAVOR (Susan J. LaFerner, Doreen G. Blaker, Dale F. Goodreau, Kim Klopstein, Michael F. LaFerner, Sr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Elizabeth D. Mayo), MOTION CARRIED.**

Respectfully submitted,

Peggy Loonsfoot  
Administrative Specialist