

# KEWEENAW BAY INDIAN COMMUNITY

## 2013 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President  
ELIZABETH D. MAYO, Vice-President  
SUSAN J. LAFERNIER, Secretary  
TONI J. MINTON, Assistant Secretary  
JENNIFER MISEGAN, Treasurer

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ROBERT R.D. CURTIS, JR.  
FRED DAKOTA  
JEAN JOKINEN  
MICHAEL F. LAFERNIER, SR.  
CAROLE L. LAPOINTE  
ELIZABETH "CHIZ" MATTHEWS  
DON MESSER, JR.

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
THURSDAY – SEPTEMBER 12, 2013 – 9:00 A.M.**

**APPROVED**  
2-27-15

- A. Date: September 12, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:14 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left 11:06 – 11:28 a.m.)  
Elizabeth D. Mayo, Vice President (arrived at 9:19 a.m.)  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary  
Jennifer Misegan, Treasurer  
Robert R.D. Curtis, Jr. (arrived at 1:10 p.m.)  
Fred Dakota (left 11:05 a.m. – 1:06 p.m.)  
Jean Jokinen  
Michael F. LaFernier, Sr.  
Carole L. LaPointe  
Elizabeth "Chiz" Matthews (left at 2:45 p.m.)  
Don Messer, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 12, 2013
- |            |                                  |   |
|------------|----------------------------------|---|
| Move:      | Closed Session-                  | 1. Budget Reviews – a) Pauline Spruce, Personnel - to the beginning of the agenda   |
| Additions: | Closed Session-<br>New Business- | 4. Jennifer Misegan, Treasurer – Tribal Attorney Contract<br>2. Larry Denomie III, CEO – c) KBIC Youth Activity Fund Guidelines |

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr.), MOTION CARRIED.**

Jean Jokinen stated her opposition: She is opposed to the addition of the Tribal Attorney Contract.

[Closed Session]

1. Budget Reviews [Open to KBIC Members]

a) Pauline Spruce, Personnel

**MOTION MADE BY FRED DAKOTA TO GO INTO CLOSED SESSION AT 9:18 A.M. AND OPEN TO KBIC MEMBERS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr.), MOTION CARRIED.**

**Elizabeth Mayo arrived at 9:19 a.m.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 9:23 A.M. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

G. Old Business:

1. Gary Loonsfoot, Director of Cultural Resources – THPO Review for the Zeba Hall Location Update (see map)

**MOTION MADE BY JEAN JOKINEN TO PUT THE ZEBI HALL ON THE BALLFIELD SITE BEHIND GENE EMERY’S HOUSE. SUPPORTED BY DON MESSER, JR. THREE IN FAVOR (Jean Jokinen, Elizabeth “Chiz” Matthews, Don Messer, Jr.), THREE OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota), FOUR ABSTAINING (Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr., Carole L. LaPointe), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION DEFEATED.**

**MOTION MADE BY ELIZABETH D. MAYO TO CONSIDER OTHER LOCATION OPTIONS IN ZEBA. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

H. New Business:

1. Jason Ayres, Realty Officer –

- a) Resolution KB-1946-2013 Ojibwa Industrial Park Right of Way Easement to UPPCO for the purposes of the installation, construction, maintenance and upkeep of electrical utility lines and facilities. This easement was granted in 1986 with a typo error regarding the distance.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1946-2013 OJIBWA INDUSTRIAL PARK RIGHT OF WAY EASEMENT. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

- b) Water front Solar, LLC Tier II Services Agreement with Dustin Denkins for the Commodity Foods Solar Project

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE WATER FRONT SOLAR AGREEMENT WITH DUSTIN DENKINS FOR THE COMMODITY FOODS SOLAR PROJECT. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

2. Larry Denomie III, CEO –

- a) Nikki Reenders-Arens - Niiwin Akeaa Fitness Facility Reorganization

**MOTION MADE BY JEAN JOKINEN TO TABLE THE NIIWIN AKEAA FITNESS FACILITY REORGANIZATION UNTIL AFTER BUDGETS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FOUR IN FAVOR (Susan J. LaFernier, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), SIX OPPOSED (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION DEFEATED.**

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NIIWIN AKEAA FITNESS FACILITY REORGANIZATION. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Don Messer, Jr.), THREE OPPOSED (Susan J. LaFernier, Jean Jokinen, Elizabeth “Chiz” Matthews), ONE ABSTAINING (Carole L. LaPointe), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

**MOTION MADE BY ELIZABETH D. MAYO TO RECLASSIFY THE YOUTH COORDINATOR TO THE NIIWIN AKEAA PROGRAMS DIRECTOR AND TO POST THE FACILITY LEAD POSITION. SUPPORTED BY CAROLE L. LAPOINTE. SIX IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), FOUR OPPOSED (Susan J. LaFernier, Jennifer Misegan, Jean Jokinen, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

Jean Jokinen stated her opposition: She feels more Tribal Members would have applied for a Director’s position and the increase in the wage.

- b) Weekly Update
- c) KBIC Youth Activity Fund Guidelines (the year to date costs will be reviewed and presented)

**Break: 10:26 – 10:37 a.m.**

**I. Closed Session:**

1. Budget Reviews – [Open to KBIC Members]
  - b) Charles Brumleve, Mining
  - c) Carole LaPointe, Health Department
  - d) Warren C. Swartz, Jr., President
2. Connie Sue Martin – Mining Issues/Lindy Grell/Jessica Koski/Lori Sherman/Charles Brumleve
3. Tribal Attorney’s Office –
  - a) BIA 2007 Contract Support Costs Claim Letters
  - b) I.H.S. CSC Case
4. Jennifer Misegan, Treasurer – Tribal Attorney Contract

**MOTION MADE BY FRED DAKOTA TO GO INTO CLOSED SESSION AT 11:02 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

**Fred Dakota left at 11:05 a.m.**

**President Swartz left 11:06 – 11:28 a.m.**

**Lunch: 12:02 – 1:06 p.m.**

**Fred Dakota returned at 1: 06 p.m.**

**Robert R.D. Curtis, Jr. arrived at 1:10 p.m.**

**Elizabeth “Chiz” Matthews left at 2:45 p.m.**

**Break: 3:13 – 3:23 p.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 3:51 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.**

**BIA 2007 Contract Support Costs Claim Letters**

**MOTION MADE BY ELIZABETH D. MAYO TO MOVE FORWARD WITH THE BIA CONTRACT SUPPORT 2007 AUTHORIZATION. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.**

**Heather Chapman Employment Agreement –**

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE EMPLOYMENT AGREEMENT WITH HEATHER CHAPMAN, PROMOTION TO TRIBAL ATTORNEY/TRIBAL PROSECUTOR, EFFECTIVE TODAY FOR THREE YEARS. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), TWO OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.**

Jean Jokinen stated her opposition: She does not trust Heather and it is a higher raise percentage than we give to our Tribal members and we have an upcoming Attorney who is a Tribal Member.

J. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:58 P.M. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth "Chiz" Matthews), MOTION CARRIED.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Loonsfoot".

Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**THURSDAY – SEPTEMBER 12, 2013 – 9:00 A.M.**

A. Date: September 12, 2013

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

- \_\_\_ Warren C. Swartz, Jr., President
- \_\_\_ Elizabeth D. Mayo, Vice President
- \_\_\_ Susan J. LaFerner, Secretary
- \_\_\_ Toni J. Minton, Assistant Secretary
- \_\_\_ Jennifer Misegan, Treasurer
- \_\_\_ Robert R.D. Curtis, Jr.
- \_\_\_ Fred Dakota
- \_\_\_ Jean Jokinen
- \_\_\_ Michael F. LaFerner, Sr.
- \_\_\_ Carole L. LaPointe
- \_\_\_ Elizabeth "Chiz" Matthews
- \_\_\_ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: September 12, 2013

G. For Your Information:

H. Old Business:

1. Gary Loonsfoot, Director of Cultural Resources – Zeba Hall Location Update

I. New Business:

1. Jason Ayres, Realty Officer –
  - a) Resolution KB-1946-2013 Ojibwa Industrial Park Right of Way Easement
  - b) Water Front Solar Agreement with Dustin Denkins for Commodity Foods Solar Project
2. Larry Denomie III, CEO –
  - a) Nikki Reenders-Arens - Niiwin Akeaa Fitness Facility Reorganization
  - b) Weekly Update

J. Closed Session:

1. Budget Reviews – [Open to KBIC Members]
  - a) Pauline Spruce, Personnel
  - b) Charles Brumleve, Mining
  - c) Carole LaPointe, Health Department
  - d) Warren C. Swartz, Jr., President
2. Connie Sue Martin – Mining Issues - **2:00 p.m.**
3. Tribal Attorney's Office –
  - a) BIA 2007 Contract Support Costs Claim Letters
  - b) I.H.S. CSC Case

K. Adjournment:



# THPO Review of L'Anse Community Center Location

Lake Superior

DEQUAMING RD

Possible Head Stone



Uniform Rock Pile Possible Grave



Depression



Unknown Depression with Old Wood



**Legend**

- Picture Location
- Structure
- Road

