

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
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2014 TRIBAL COUNCIL

DONALD SHALIFOE, SR., Ojibmaa
CAROLE L. LAPOINTE, Vice Chairwoman
JEAN JOKINEN, Secretary
GARY F. LOONSFOT, SR., Asst. Secretary
EDDY EDWARDS, Treasurer

ROBERT "R.D." CURTIS, JR.
MICHAEL F. LAFERNIER, SR.
SUSAN J. LAFERNIER
ELIZABETH "CHIZ" MATTHEWS
DON MESSER, JR.
JENNIFER MISEGAN
WARREN C. SWARTZ, JR.

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – FEBRUARY 21, 2013 – 9:00 A.M.

10-3014
 APPROVED

COPY

- A. Date: February 21, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:09 a.m.
- C. Invocation: Lord's Prayer and prayers for Blue Misegan
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left at 12:02 p.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Jennifer Misegan, Treasurer
Robert R.D. Curtis, Jr.
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe (arrived at 9:30 a.m.)
Elizabeth "Chiz" Matthews
Don Messer, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 21, 2013

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA. 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., Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

G. For Your Information:

1. The Finance Meeting cancelled on February 14th was rescheduled to February 28, 2013

2. A Letter from the Department of the Interior regarding Indian Affairs Budget (threat of sequestration)
3. VOIGT Intertribal Task Force Meeting Minutes January 10, 2013 at LacDuFlambeau, WI- concerns of other Tribes fishing in KBIC's home territory)

Carole LaPointe arrived at 9:30 a.m.

H. Approval of Meeting Minutes:

1. February 23, 2012

MOTION MADE BY FRED DAKOTA TO APPROVE THE FEBRUARY 23, 2012 MEETING MINUTES. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

2. March 3, 2012

MOTION MADE BY FRED DAKOTA TO APPROVE THE MARCH 3, 2012 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

3. March 8, 2012

MOTION MADE BY TONI J. MINTON TO APPROVE THE MARCH 8, 2012 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

4. March 15, 2012

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE MARCH 15, 2012 MEETING MINUTES. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

5. March 22, 2012

MOTION MADE BY TONI J. MINTON TO APPROVE THE MARCH 22, 2012 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

I. Old Business:

1. Charles Brumleve, Environmental Mining Specialist –

a) U.S. Geological Survey Joint Funding Agreement – Yellow Dog Plains

The agreement is for performing a Tribal cooperative water program and represents Federal assistance available to tribes that request support with potential water contamination issues. KBIC would be agreeing to \$555,400.00 and the Huron Mt. Club agrees to pay half of KBIC’s amount. USGS would pay \$246,000.00 for a total of \$801,400.00 for 5 years.

Council would like a signed agreement from the Huron Mt. Club by February 28, 2013.

b) Shakopee Donation Letter – Council consensus is for President Swartz to sign the letter.

[New Business]

1. Brad Dakota, Chief Judge – Houghton County Jail Contract

MOTION MADE BY CAROLE L. LAPOINTE TO DIRECT THE ATTORNEYS TO PREPARE A HOUGHTON COUNTY JAIL CONTRACT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL 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, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 10:16 – 10:31 a.m.

[Old Business]

2. Gary Loonsfoot, Jr., Cultural Resources Director – Powwow Committee

Gary was seeking direction from the Council on how to proceed with the Powwow Committee vacancies. There was discussion on hiring a seasonal person and have Juliet Loonsfoot from the THPO Office assist. Rodney Loonsfoot was present and offered his services as a volunteer.

MOTION MADE BY ELIZABETH D. MAYO TO MOVE FORWARD WITH THE HIRE OF A SEASONAL EMPLOYEE TO ASSIST COORDINATING THE POWWOW FOR 2013 AND BRING A MODIFIED BUDGET AND DRAFT JOB DESCRIPTION TO NEXT WEEK'S FINANCE MEETING. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

3. President Swartz – Honorary Name of 2013 Kid's Fishing Derby

MOTION MADE BY ELIZABETH D. MAYO TO NAME THE 2013 KIDS' FISHING DERBY IN HONOR OF TODD WARNER, THE LATE NATURAL RESOURCES DIRECTOR. SUPPORTED BY SUSAN J. LAFERNIER. 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.), TWO OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

4. Sarah Maki, Assistant CEO (not present)/Larry Denomie III, CEO – Background Investigations Policy regarding the Adjudicating Panel which is currently the Child Welfare Committee and List of Potential Positions for background checks at the Enterprises.

MOTION MADE BY ELIZABETH D. MAYO TO APPOINT THE ADJUDICATING PANEL AS THE FOLLOWING: TRIBAL COURT PROBATION OFFICER, POLICE COMMISSIONER OR A TRAINED DEPARTMENT REPRESENTATIVE, AND OVW TEAM LEAD EFFECTIVE WHEN THEY ARE TRAINED AND ADJUDICATED TO PERFORM THE BACKGROUND INVESTIGATIONS. SUPPORTED BY SUSAN J. LAFERNIER. ALL 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, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

J. New Business:

2. Sarah Maki, Assistant CEO – Resolution KB-1923-2013 BIA Forester Contract \$95,940.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1923-2013 BIA FORESTER CONTRACT. SUPPORTED BY CAROLE L. LAPOINTE. ALL 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, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

3. Jason Ayrcs, Realty Officer (not present) – Resolution KB-1919-2013 Barbie M. Byykkonen Residential Lease (refer to Resolution KB 1882-2012)

MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-1919-2013 BARBIE M. BYYKKONEN. SUPPORTED BY SUSAN J. LAFERNIER. ALL 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, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

4. Jim Stingle, Grant Writer – ICDBG Project List FY2013-Application deadline is March 18, 2013

Lunch: 12:02 – 1:06 p.m.

Elizabeth Mayo left at 12:02 p.m.

The Council will prioritize the top four from the ICDBG List following the Finance Meeting next week.

MOTION MADE BY JEAN JOKINEN TO APPROVE THE ZEB COMMUNITY CENTER. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS.

MOTION MADE BY JENNIFER MISEGAN TO TABLE UNTIL NEXT WEEK’S COUNCIL MEETING AFTER THE REVIEW OF FINANCES. SUPPORTED BY SUSAN J. LAFERNIER. 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.), TWO OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

5. Lindy Grell, Tribal Attorney – Jeff Lamson Liquor License Renewal (On-Premise) for Cue Master. There were questions about his business license renewal, TAM certification and if there were complaints, violations, or citations

MOTION MADE BY SUSAN J. LAFERNIER TO TABLE THE LIQUOR LICENSE FOR JEFF LAMSON UNTIL NEXT THURSDAY. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO EXTEND THE CURRENT LIQUOR LICENSE FOR JEFF LAMSON UNTIL MARCH 1, 2013. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

6. President Swartz – Committee/Board Selections

a) Education Committee (1) Seat (term ending June 2015)

MOTION MADE BY JENNIFER MISEGAN TO APPOINT DAWN ALEXANDER TO THE EDUCATION COMMITTEE AS SHE MEETS THE GUIDELINES. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), FOUR OPPOSED (Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

b) Election Board (2) Seats (terms ending January 2016)

MOTION MADE BY TONI J. MINTON TO APPOINT DIANA CHAUDIER AND KIM KLOPSTEIN TO THE ELECTION BOARD. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

c) Hiring Committee (1) Seat (term ending April 2014)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPOINT RODNEY LOONSFOOT TO THE HIRING COMMITTEE. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

Jennifer Misegan stated her opposition: Jennifer felt there should have been discussion prior to the motion.

d) Youth Committee (2) Seats (terms ending October 2014)

MOTION MADE BY TONI J. MINTON TO REPOST THE YOUTH COMMITTEE VACANCIES WITH THE BACKGROUND REQUIREMENTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

e) Constitutional Committee (2) Alternate Seats (no applications received)

The CEO Office will participate in the Hiring Committee meetings as their signatures are required for most of the paperwork.

7. Carole LaPointe, Health Director – (National Provider Network) Catamaran PBM Agreement for the KBIC Pharmacy (The addendum will automatically renew until either party dissolves the agreement)

MOTION MADE BY FRED DAKOTA TO APPROVE THE CATAMARAN PBM AGREEMENT. SUPPORTED BY JEAN JOKINEN. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

8. Larry Denomie III, CEO –

- a) CNAP Guidelines Amendment – to allow those members who are on active military duty or attending college full-time away from home to receive medical travel assistance funding

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE CNAP AMENDMENT AS WRITTEN. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

- b) Proposals for Social Media Training (2): Fred Pryor Seminars and KB OCC

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE MEGAN SHANAHAN’S PROPOSAL TO PROVIDE THE SOCIAL MEDIA IN THE WORKPLACE TRAINING. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

- c) Weekly Update (Handout)

K. Closed Session:

1. Jennifer Misegan, Enrollment Director – Titling Update

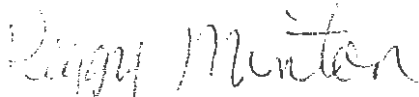
MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 2:12 P.M. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 2:37 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY CAROLE L. LAPOINTE TO ADJOURN AT 2:40 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,



Peggy Minton
Administrative Specialist