

# 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

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

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 – AUGUST 1, 2013 – 9:00 A.M.**

**APPROVED**

2-27-15

- A. Date: August 1, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:02 a.m.
- C. Invocation: Lord's Prayer and prayers for Judge Miles and Elizabeth Matthews
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left 1:12 – 1:35 p.m.)  
Elizabeth D. Mayo, Vice President (left 2:27 – 3:28 p.m.)  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary (arrived at 9:16 a.m.)  
Jennifer Misegan, Treasurer  
Robert R.D. Curtis, Jr. (arrived at 9:09 a.m.)  
Fred Dakota  
Jean Jokinen  
Michael F. LaFernier, Sr. (arrived at 9:11 a.m.)  
Carole L. LaPointe (arrived at 9:06 a.m., left at 4:08 p.m.)  
Elizabeth "Chiz" Matthews (left at 2:39 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: August 1, 2013
- Deletions: Old Business- 1. George Decota, Director of Fire Management – Recommendation on a Cooperative Agreement with the BIA and Baraga Fire Dept.  
New Business- 4. Jennifer Misegan, Treasurer – Burial Program Funds
- Carole LaPointe arrived at 9:06 a.m.**
- Addition: Closed Session- 3. President Swartz – Update

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

G. For Your Information:

**R.D. Curtis arrived at 9:09 a.m.**

1. April FY2013 Financial Reports Ojibwa Casino Resort/Ojibwa Casino II
2. May FY2013 Financial Reports Ojibwa Casino Resort/Ojibwa Casino II

**Mike LaFernier, Sr. arrived at 9:11 a.m.**

H. Old Business:

1. Larry Denomie III, CEO –
  - a) President Swartz - Assistant Tribal Deputy Attorney Job Description Review –

The changes discussed were changing the Supervisor to the Tribal President, revise the Contracts, and add a Monthly Report.

**Toni Minton arrived at 9:16 a.m.**

**MOTION MADE BY JENNIFER MISEGAN TO TABLE THE ATTORNEY JOB DESCRIPTION, HOLD A REVIEW, AND ADD TO NEXT WEEK’S AGENDA. SUPPORTED BY JENNIFER MISEGAN. 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.**

- b) Fitness Programs and Facilities Coordinator Job Description Review – The Council would like to remove the Associate or Bachelor Degree requirement for this position. The description will be added to the next meeting.
- c) BC/BS Tier III Plan – Rescheduled for more information

2. Janice Halverson, CNAP Director – CSBG Plan/Guidelines/Executive Summary

**MOTION MADE BY JEAN JOKINEN TO TRANSFER MONEY FROM THE SENIOR HEATING PROGRAM AND NAME IT HARDSHIP FUND AND FOLLOW THE CSBG GUIDELINES AND USE FOR SHUT-OFFS AND FOOD ONLY UP UNTIL THE END OF THE FISCAL YEAR. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN 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, Don**

**Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ABSENT - 0, MOTION CARRIED.**

The Council requested a plan be developed before the Budget Review process.

**Break: 9:50 – 10:02 a.m.**

I. Closed Session:

1. TERO Director/Workforce Coordinator Interviews (5)

**MOTION MADE BY CAROLE L. LAPOINTE TO GO INTO CLOSED SESSION AT 10:03 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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 (Elizabeth D. Mayo, Fred Dakota, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Jean Jokinen), MOTION CARRIED.**

(Jean Jokinen is out of the room)

**Lunch: 12:06 – 1:10 p.m. (President Swartz left)**

**MOTION MADE BY CAROLE L. LAPOINTE TO GO INTO OPEN SESSION AT 1:27 P.M. SUPPORTED BY FRED DAKOTA. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

TERO Director/Workforce Coordinator – Ballot Vote

Debra Picciano – 4  
Jennifer Westman - 1  
Sue Ellen Carlson - 3  
Suzanne Kahkonen - 2

**MOTION MADE BY JEAN JOKINEN TO OFFER THE TERO DIRECTOR POSITION TO SUE ELLEN CARLSON. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FOUR IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth “Chiz” Matthews, Don Messer, Jr.), SIX OPPOSED (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION DEFEATED.**

**President Swartz returned at 1:35 p.m.**

**MOTION MADE BY TONI J. MINTON TO OFFER THE TERO DIRECTOR POSITION TO DEBRA PICCIANO. SUPPORTED BY SUSAN J. LAFERNIER. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe), FOUR OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE ABSTAINING (Elizabeth D. Mayo), ABSENT - 0, MOTION CARRIED.**

J. New Business:

1. Bruce LaPointe, Projects Manager – Spring Cleanup Request for the balance due. The total due was \$8,269.80. 91 tons were collected.

**MOTION MADE BY JENNIFER MISEGAN TO PAY THE REMAINING COSTS OF SPRING CLEANUP IN THE AMOUNT OF \$2,162.85 FROM THE GENERAL FUND. SUPPORTED BY DON MESSER, JR. 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.**

2. Jason Ayres, Realty Officer (not present)/Bruce LaPointe, Projects Manager – Resolution KB-1945-2013 Campground Right of Way Amendment (replaces KB 1894-2012)

**MOTION MADE BY JENNIFER MISEGAN TO TABLE RESOLUTION KB-1945-2013 UNTIL NEXT WEEK AND A DESIGN IS PROVIDED. SUPPORTED BY ELIZABETH D. MAYO. 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: 2:27 – 2:38 p.m. (Elizabeth Mayo left during break)**

**Elizabeth Matthews left at 2:39 p.m.**

3. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager –
  - a) Marquette Casino River Valley Bank Space Lease for ATM Machines Agreement - \$600.00 monthly fee from the Bank

**MOTION MADE BY DON MESSER, JR. TO APPROVE THE ATM AGREEMENT WITH RIVER VALLEY BANK FOR THE MARQUETTE CASINO. SUPPORTED BY FRED DAKOTA. NINE 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, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

b) Baraga Casino Carpet Bids (3)

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE OJIBWA BUILDING SUPPLY BID IN THE AMOUNT OF \$98,498.00 FOR THE BARAGA COMPLEX CARPETING WITH A CONTRACT AND WARRANTY STATING A TIME FRAME AND PENALTIES. SUPPORTED BY JEAN JOKINEN. NINE 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, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

4. Gregg Nominelli, Economic Developer/Roy Koski, Aanikoosing, Inc. Board Member – Tribal Maintenance Facility Acquisition Request for office space

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE TRIBAL MAINTENANCE FACILITY ACQUISITION OF THE FORMER TRIBAL CONSTRUCTION BUILDING FOR LEASE TO AANIKOOSING INC. FOR NINETY-NINE YEARS FOR ONE DOLLAR. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

[Closed Session]

2. Gregg Nominelli, Economic Developer – Aanikoosing Inc. Progress Report
3. President Swartz – Update

**MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 3:08 P.M. SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe), THREE OPPOSED (Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

**Break: 3:09 – 3:18 p.m.**

**Elizabeth Mayo returned at 3:28 p.m.**

**Carole LaPointe left at 4:08 p.m.**

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 4:09 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE 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., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Carole L. LaPointe, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:10 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Carole L. LaPointe, 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 – AUGUST 1, 2013 – 9:00 A.M.**

A. Date: August 1, 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: August 1, 2013

G. For Your Information:

1. April FY2013 Financial Reports Ojibwa Casino Resort/Ojibwa Casino II
2. May FY2013 Financial Reports Ojibwa Casino Resort/Ojibwa Casino II

H. Old Business:

1. George Decota, Director of Fire Management – Recommendation on a Cooperative Agreement with the BIA and Baraga Fire Department
2. Janice Halverson, CNAP Director – CSBG Plan/Guidelines/Executive Summary
3. Larry Denomie III, CEO –
  - a) Assistant Tribal Deputy Attorney Job Description Review
  - b) Fitness Program and Facilities Coordinator Job Description Review
  - c) BC/BS Tier III Plan

I. New Business:

1. Jason Ayres, Realty Officer – Resolution KB-1945-2013 Campground Right of Way Amendment
2. Bruce LaPointe, Projects Manager – Spring Cleanup Request
3. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager –
  - a) Marquette Casino River Valley ATM Agreement
  - b) Baraga Casino Carpet Bids (3)
4. Jennifer Misegan, Treasurer – Burial Program Funds
5. Gregg Nominelli, Economic Developer – Tribal Maintenance Facility Acquisition Request

J. Closed Session:

1. Gregg Nominelli, Economic Developer – Aanikoosing Inc. Progress Report
2. TERO Director/Workforce Coordinator Interviews – **10:00 a.m. – 1:30 p.m.**

K. Adjournment: