

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.

Dec. 17. 1936

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – NOVEMBER 7, 2013 – 9:00 A.M.**

APPROVED
3-12-15

- A. Date: November 7, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:09 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left at 11:02 a.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Jennifer Misegan, Treasurer (left 10:41 – 11:37 a.m.)
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe (arrived at 9:22 a.m.)
Elizabeth "Chiz" Matthews
Don Messer, Jr.
- Absent: Robert R.D. Curtis, Jr.
Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 7, 2013
- Additions: FYI- 3. I.G.S. Final Report
4. I.G.S. Training Proposal
- Deletion: Old Business- 2. Janice Halverson, CAP Administrator – LIHEAP Program Information

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

G. For Your Information:

1. SNB KBIC Guaranteed Loan Program Account Summary November 1, 2013
2. SNB KBIC Vocational Tech Student Loan Program November 1, 2013 – Jennifer Misegan stated the summary shows one is paid but it was in fact defaulted and the Tribe had to pay it.
3. I.G.S. Final Report
4. I.G.S. Training Proposal

H. Old Business:

1. Kathy Mayo, Community Health Director – “Honoring Our Children Planning Grant” Project Update. Each Tribe received \$10,200.00 over 2 years to create a local plan and set priorities for young children (0-8) and their families.

Carole LaPointe arrived at 9:22 a.m.

Kathy stated the data collected has been turned over to I.T.C. and they are in the process of analyzing it. A third “Honoring our Children” Summit will be held in Petoskey on December 10-11 for Michigan Tribes. A grant proposal will be submitted to the Kellogg Foundation in January 2014.

Break: 9:51 – 10:03 a.m.

I. Recognize Scheduled Delegation/Individuals:

1. Susan Hedman Regional Administrator EPA/Jeff Kelly – Environmental Justice Program and KBIC Fish Consumption Survey

KBIC is the first Tribe in Michigan to have applied for Water Quality Treatment as a State. KBIC is also one out of thirty-nine to be selected for a \$30,000.00 environmental justice grant regarding a KBIC fish consumption study. Susan Hedman congratulated Lori Sherman and her staff from the Natural Resources Department for their work on the grant. She also toured Torch Lake and would like to return in the Summer to do more reviews.

(Photo Shoot)

Break: 10:26 – 10:33 a.m.

J. New Business:

1. Diana Chaudier, Election Board Chair –

a) Certify Results of Primary Election November 2, 2013

L’Anse: Michael F. LaFERNIER, Sr. (78), Toni Minton (70), Eddy Edwards (62), George Decota (41), and Timothy Friisvall (29)

Baraga: Fred Dakota (89), Elizabeth Mayo (84), Donald Shalifoe, Sr. (82), Gary F. Loonsfoot, Sr. (80), Bruce LaPointe, Sr. (65), Jerry Magnant (40), Marty Curtis (34), Michael Cardinal (32), and Donald Stolp, Sr. (6)

The total number of eligible voters was 818, the number of registered voters was 669, and the actual count of voters in the Primary Election was 404. (49%)

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE RESULTS OF THE NOVEMBER 2, 2013 PRIMARY ELECTION. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jennifer Misegan, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

b) Certify Nominees for General Election (December 14, 2013) – Top (4) from each district

The nominees for L’Anse: Michael F. LaFERNIER, Sr., Toni Minton, Eddy Edwards, and George Decota. The nominees for Baraga: Fred Dakota, Elizabeth Mayo, Donald Shalifoe, Sr., and Gary F. Loonsfoot, Sr.

MOTION MADE BY CAROLE L. LAPOINTE TO CERTIFY THE NOMINEES FOR THE DECEMBER 14, 2013 GENERAL ELECTION. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jennifer Misegan, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

c) Certify Judicial Candidates (2)

MOTION MADE BY ELIZABETH D. MAYO TO CERTIFY THE JUDICIAL CANDIDATES VIOLET FRIISVALL AYRES AND JOHN DAVIS FOR THE DECEMBER 14, 2013 GENERAL ELECTION. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Jennifer Misegan left at 10:41 a.m.

2. Dan Connor, Solid Waste Facility Manager –

a) Balance Dirt Bids (3)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BID FROM MD CONTRACTING, INC. FOR THE BALANCE DIRT AT THE TRANSFER STATION IN THE AMOUNT OF \$24,570.00. SUPPORTED BY DON MESSER, JR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

b) Place Gravel Bids (3)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BID FROM MD CONTRACTING, INC. FOR THE PLACE GRAVEL AT THE TRANSFER STATION IN THE AMOUNT OF \$24,570.00. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

3. Jean Jokinen, Grant Writer – Resolution KB-1960-2013 Elderly Nutrition Grant (55 years old and older) to provide supportive and nutritional and caregiver services.

MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-1960-2013 ELDERLY NUTRITION GRANT. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

4. Jason Ayres, Realty Officer –

a) Resolution KB-1958-2013 Edward W. Maki Recreational Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1958-2013 EDWARD W. MAKI RECREATIONAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

b) Resolution KB-1959-2013 James D. Cadeau Recreational Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1959-2013 JAMES D. CADEAU RECREATIONAL LEASE. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

c) Resolution KB-1961-2013 Tina M. Owens Recreational Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1961-2013 TINA M. OWENS RECREATIONAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

d) Resolution KB-1962-2013 Everett L. Ekdahl, Sr. Recreational Lease

MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-1962-2013 EVERETT L. EKDAHL, SR. RECREATIONAL LEASE. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

5. Larry Denomie III, CEO – Weekly Update

[Old Business]

2. Lindy Grell, Tribal Attorney – James R. Bittorf Appellate Justices Contract - October 31, 2013 – December 13, 2015

MOTION MADE BY JEAN JOKINEN TO APPROVE THE APPELLATE JUSTICES CONTRACT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND JAMES R. BITTORF. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Elizabeth Mayo left at 11:02 a.m.

K. Closed Session:

1. David Haataja, Baraga Casino General Manager – Casino Plan
2. Charles Brumleve, Mining Consultant Update/Current Projects and Tasks/Heather Chapman, Tribal Attorney/Lori Sherman, NRD Director

3. Gregg Nominelli, Economic Developer - Subrecipient Agreement

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 11:03 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), TWO OPPOSED (Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Break: 11:05 – 11:18 a.m.

Jennifer Misegan returned at 11:37 a.m.

Lunch: 12:17 – 1:22 p.m.

Carole LaPointe returned from lunch at 1:29 p.m.

MOTION MADE BY JEAN JOKINEN TO GO INTO OPEN SESSION AT 1:53 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Aanikoosing Inc. Subrecipient Agreement - to assist the KBIC in utilizing the ICDBG funds

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE SUBRECIPIENT AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND AANIKOOSING INC. INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT. SUPPORTED BY DON MESSER, JR. SIX IN FAVOR (Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Jennifer Misegan), THREE ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 1:57 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Respectfully submitted,


Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – NOVEMBER 7, 2013 – 9:00 A.M.

A. Date: November 7, 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
- ___ Donald Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: November 7, 2013

G. For Your Information:

1. SNB KBIC Guaranteed Loan Program Account Summary November 1, 2013
2. SNB KBIC Vocational Tech Student Loan Program November 1, 2013

H. Old Business:

1. Kathy Mayo, Community Health Director – Honoring Our Children Project Update
2. Janice Halverson, CAP Administrator - LIIHEAP Program Information
3. Lindy Grell, Tribal Attorney – James R. Bittorf Appellate Justices Contract

I. Recognize Scheduled Delegation/Individuals:

1. Susan Hedman Regional Administrator EPA – EJ Program and KBIC Fish Consumption Survey – **10:00 a.m.**

J. New Business:

1. Diana Chaudier, Election Board Chair –
 - a) Certify Results of Primary Election November 2, 2013
 - b) Certify Nominees for General Election
 - c) Certify Judicial Candidates
2. Dan Connor, Solid Waste Facility Manager –
 - a) Balance Dirt Bids (3)
 - b) Place Gravel Bids (3)
3. Jason Ayres, Realty Officer –
 - a) Resolution KB-1958-2013 Edward W. Maki Recreational Lease
 - b) Resolution KB-1959-2013 James D. Cadeau Recreational Lease
 - c) Resolution KB-1961-2013 Tina M. Owens Recreational Lease
 - d) Resolution KB-1962-2013 Everett L. Ekdahl, Sr. Recreational Lease
4. Jean Jokinen – Resolution KB-1960-2013 Elderly Nutrition Grant
5. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. David Haataja, Baraga Casino General Manager – Casino Plan
2. Charles Brumleve, Mining Consultant Update/Heather Chapman, Tribal Attorney/Lori Sherman, NRD Director
3. Gregg Nominelli, Economic Developer - Subrecipient Agreement

L. Adjournment: