

KEWEENAW BAY INDIAN COMMUNITY

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

2014 TRIBAL COUNCIL

DONALD SHALIFOE, SR., Ogimaa
CAROLE L. LAPOINTE, Vice Chairwoman
JEAN JOKINEN, Secretary
GARY F. LOONSFOOT, 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 TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – JUNE 13, 2013 – 9:00 A.M.**

APPROVED
10-30-14
COPY

- A. Date: June 13, 2013
- B. Call to Order: Vice President Mayo called the meeting to order at 9:01 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (arrived at 10:20 a.m.)
Elizabeth D. Mayo, Vice President
Toni J. Minton, Assistant Secretary (arrived at 9:03 a.m.)
Jennifer Misegan, Treasurer
Robert R.D. Curtis, Jr.
Fred Dakota
Jean Jokinen
Carole L. LaPointe (arrived at 9:11 a.m.)
Elizabeth "Chiz" Matthews
Don Messer, Jr.
- Absent: Susan J. LaFernier, Secretary
Michael F. LaFernier, Sr.
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 13, 2013
- Additions: New Business-
2. Elizabeth Matthews - (with Bruce LaPointe) c) Blacktop in front of the Cultural House
 6. Elizabeth Matthews – Pinery Cemetery Issue
 7. President Swartz – a) Proposal Contract to Resolution KB-1923-2013 BIA Forester Contract
b) MIEA Conference Travel Request

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr., Carole L. LaPointe), MOTION CARRIED.

G. For Your Information:

1. Telephone Poll June 11, 2013 regarding Cheryl Bogda’s Donation Medical Travel Request for \$544.34. 7 in Favor/1 Opposed
2. Notice of Grant Award FY2013 LIHEAP

H. Recognize Scheduled Delegation/Individuals:

1. Robert Ellsworth - Donation Request for CDL Training/Truck Driving School

Robert is seeking a donation of \$3,600.00 for a course in truck driving. If he obtains proof that \$3,600.00 is paid towards the course he will qualify for \$1,000.00 from the CAP Office. He stated there are no TERO or Education funds available.

Carole LaPointe arrived at 9:11 a.m.

The Council would like to see a guaranteed loan program available for vocational type trainings within the local area. This would include any type of training or program that otherwise would not qualify for financial aid.

Jennifer Misegan will work with Robert on Monday regarding a loan program.

MOTION MADE BY JEAN JOKINEN TO ESTABLISH A GUARANTEED LOAN PROGRAM FOR VOCATIONAL TECH PROGRAMS/TRAININGS IN THE AMOUNT OF \$20,000.00. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

I. Old Business:

1. Chuck Brumleve, Environmental Mining Specialist – Letters for Signature (2)

MOTION MADE BY FRED DAKOTA TO AUTHORIZE THE PRESIDENT TO SIGN THE LETTER REGARDING PROTECTING LAKE SUPERIOR WATERS FROM MINING WASTE BY CLOSING THE CLEAN WATER ACT LOOPHOLES. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY FRED DAKOTA TO AUTHORIZE THE PRESIDENT TO SIGN THE LETTER TO THE INTERNATIONAL JOINT COMMISSION REGARDING THE BOUNDARY WATERS TREATY OF 1909 AND REPORTING OF WATER-RELATED IMPACTS FROM SULFIDE MINING. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. Larry Denomie III, CEO - Ojibwa Casino Employment Manual Policy Amendment: Sec IV – B.2.iii; Rules Governing Use of Annual Leave (related to the payout of excess annual leave)

Larry will address the use of Comp Time at the next Department Head meeting.

MOTION MADE BY JENNIFER MISEGAN TO SUSPEND THE CASINO MANUAL SECTION IV-B.2.iii UNTIL FURTHER DISCUSSION WITH THE FINANCE COMMITTEE. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. Jason Ayres, Realty Officer - Resolution KB-1932-2013 Awkewayzeence (Michael, Sophia, John), Mongoose and Head Allotment Interest Acquisition (Noreen M. Perrault \$56,706.49)

MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1932-2013 AWKEWAYZEENCE MONGOOSE AND HEAD ALLOTMENT INTEREST ACQUISITION. SUPPORTED BY ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

J. New Business:

1. Jason Ayres, Realty Officer – Resolution KB-1940-2013 Melody G. Albright Recreational Lease

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1940-2013 MELODY G. ALBRIGHT RECREATIONAL LEASE. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. Larry Denomie III, CEO – Weekly Update

3. Lindy Grell, Tribal Attorney – Jeffery Loman New Business License Application for Keweenaw Konsulting (Environmental Management)

MOTION MADE BY DON MESSER, JR. TO APPROVE THE BUSINESS LICENSE OF JEFFERY LOMAN DOING BUSINESS AS KEWEENAW KONSULTING. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

President Swartz arrived at 10:20 a.m.

4. Bruce LaPointe, Projects Manager –

- a) Solid Waste Facility (Transfer Station) Concrete Bids (3)

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE BID FROM DAVE WHITMAN CONSTRUCTION, INC. IN THE AMOUNT OF \$100,887.00 FOR CONCRETE. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

- b) I.H.S. Sanitation Deficiency System (SDS) 2013 Project List and Priority

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE TOP FOUR OF THE SDS PROJECT LIST; ZEBa SEWER INFLOW AND INFILTRATION STUDY, ZEBa WATER TOWER, WELL ABANDONMENT, AND ZEBa WATER MAIN LOOP. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

- c) Elizabeth “Chiz” Matthews – Blacktop in front of the Cultural House

Bruce stated none of the parking lots are on the inventory but he will add it to the 2014 TIP funding cycle and it will be done in October 2013.

5. Kristen Wakeham, Planner and Grants Specialist (not present) – OHA Indian Housing Plan FY2014

The Council requested two weeks to review. It will be rescheduled for June 27, 2013.

6. Elizabeth “Chiz” Matthews – Pinery Cemetery

The Cultural Committee would like the Council to address the issue of the cemetery being listed as a tourist attraction in Baraga County. It is a historical site, but should not be listed as an attraction for tourists.

The Council consensus is to have the Chairman request the Baraga County Chamber of Commerce not to list the Pinery Cemetery as a tourist attraction in their brochures and to remove from their website.

7. President Swartz -

a) Proposal Contract to Resolution KB-1923-2013 BIA MI Forestry Program Contract

President Swartz met with BIA Officials and there are two options to the Tribe’s request. The BIA can only afford \$1,000.00 in funding. The Tribe can either accept the \$1,033.00 or withdraw its request.

The BIA would write a letter of support if we submitted an unfunded program request.

MOTION MADE BY ELIZABETH D. MAYO TO WITHDRAW THE BIA REQUEST RELATED TO THE FORESTRY PROGRAM BECAUSE THE FUNDING IS INADEQUATE. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Susan J. LaFernier, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

b) MIEA Conference Travel Request

Ojibwa Seniors Request to attend MIEA Conference – #510 Budget – Mt. Pleasant on July 15-17, 2013 for (16) Seniors - must be KBIC Tribal Members

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE SIXTEEN KBIC TRIBAL MEMBERS TO ATTEND THE MIEA CONFERENCE IN MT. PLEASANT IN THE AMOUNT OF \$4,356.00. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Michael F. LaFernier, Sr.), MOTION CARRIED.

K. Closed Session:

1. Lindy Grell, Tribal Attorney – Personnel Issues
2. Ed Janisse, General Manager Eagle Radio Stations – UPCAP Services, Inc. Sublease Agreement
3. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager – Casino Plan

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 11:00 A.M. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Susan J. LaFerner, Michael F. LaFerner, Sr.), MOTION CARRIED.

Break: 11:02 – 11:13 a.m.

Lunch: 11:58 a.m. – 1:15 p.m.

Break: 2:32 - 2:47 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 3:12 P.M. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFerner, Michael F. LaFerner, Sr.), MOTION CARRIED.

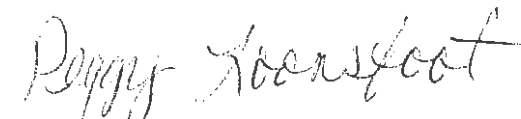
UPCAP Services Inc. Sublease Agreement – Hancock Radio Station

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SUBLEASE AGREEMENT BETWEEN KBIC AND UPCAP SERVICES INC. FOR THE BUILDING RENTAL WITH MOYLE REAL ESTATE AND DEVELOPMENT COMPANY, LLC. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFerner, Michael F. LaFerner, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY TONI J. MINTON TO ADJOURN AT 3:17 P.M. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. NINE IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFerner, Michael F. LaFerner, Sr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist