

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL TRIBAL COUNCIL MEETING
OJIBWA CASINO CONFERENCE ROOM
THURSDAY – MARCH 27, 2014 – 9:00 A.M.

- A. Date: March 27, 2014
- B. Call to Order: Ogimaa Shalifoe called the meeting to order at 9:04 a.m.
- C. Invocation: Ogimaa Shalifoe
- D. Roll Call: Present: Donald T. Shalifoe, Sr., Ogimaa
Carole L. LaPointe, Vice Chairwoman
Jean Jokinen, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary
Eddy Edwards, Treasurer
Robert R.D. Curtis, Jr., left at 10:45 a.m. back at 12:00 p.m.
Michael F. LaFernier, Sr.
Susan J. LaFernier
Elizabeth “Chiz” Matthews
Don Messer, Jr., left at 11:40 a.m.
Jennifer Misegan
Warren C. Swartz, Jr., arrived at 9:20 a.m.
- E. Declaration of Quorum: Ogimaa Shalifoe declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 27, 2014
- Addition: FYI – 3. Carole LaPointe, Vice Chairwoman – CMS Affordable Care Act (short video)
Old Business: 1. Gary Loonsfoot, Jr. – Budget Transfer Request 2. Gary Loonsfoot, Sr., Assistant Secretary - Resolution KB-015-2014 3. Jennifer Misegan – Title 10 Amendments 1st Reading
- Deletion: New Business a) Title 10 1st Reading

Correction: 4. Jean Jokinen, Secretary – 4. a) Procurement Policy b) Resolution KB-020-2014 SEDS Grant c) Resolution KB-021-2014 SEEDS Grant

MOTION MADE BY DON MESSER, JR. TO APPROVE THE AGENDA WITH THE CORRECTIONS/ADDITIONS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan), OPPOSED – 1 (Eddy Edwards), ABSTAINING - 0, ABSENT – 1 (Warren C. Swartz, Jr.) MOTION CARRIED.

G. For Your Information:

1. BIA Letter – regarding Title 10 Amendment
2. Thank You Letter from Great Lakes Recovery Centers
3. CMS Affordable Care Act Video

Warren C. Swartz, Jr. arrived at 9:20 a.m.

H. Old Business

1. Gary Loonsfoot, Jr., THPO Director – Budget Transfer Request 585 (Cultural Committee)

MOTION MADE BY EDDY EDWARDS TO TABLE THE BUDGET TRANSFER REQUEST UNTIL THE NEXT SATURDAY MEETING, APRIL 5TH, SO THE COUNCIL CAN GET COPIES OF THE DOCUMENT. SUPPORTED BY CAROLE L. LAPOINTE. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 , ABSTAINING - 0, ABSENT – 0. MOTION CARRIED.

2. Gary F. Loonsfoot, Sr., Assistant Secretary – Resolution KB-015-2014 Alcohol Free Area at the Pow-wow Grounds

MOTION MADE BY EDDY EDWARDS TO TABLE RESOLUTION KB-015-2014 UNTIL THE NEXT MEETING, SATURDAY, APRIL 5TH. SUPPORTED BY CAROLE L. LAPOINTE. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Robert R.D. Curtis,

Jr., Michael F. LaFerner, Sr., Susan J. LaFerner, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 , ABSTAINING - 0, ABSENT – 0. MOTION CARRIED.

3. Jennifer Misegan – 1st Reading Title 10 Proposed Amendment 2014-02 Chapter 4 Fishing

Jennifer

MOTION MADE BY JENNIFER MISEGAN TO INTRODUCE TITLE 10 AMENDMENT AND SCHEDULE THE 2ND READING FOR APRIL 5, 2014. SUPPORTED BY ROBERT R.D. CURTIS, JR. TWELVE IN FAVOR (Donald Shalfoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Robert R.D. Curtis, Jr., Michael F. LaFerner, Sr., Susan J. LaFerner, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 , ABSTAINING - 0, ABSENT – 0. MOTION CARRIED.

I. New Business:

1. Lt. Tim Sholander – UPSET Request for financial assistance
2. Sandy Pittsley, Ojibwa Seniors – Michigan Indian Elders Association

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE REQUEST FOR THE OJIBWA SENIORS TO ATTEND THE MICHIGAN INDIAN ELDERS ASSOCIATION CONFERENCE IN PETOSKEY. SECONDED BY ROBERT R.D. CURTIS, JR.

NO MOTION NEEDED. FUNDS ARE ALREADY BUDGETED FOR THE OJIBWA SENIORS IN THEIR BUDGET 635

Break 10:06 a.m. – 10:18 a.m.

3. Charlotte Spruce/Katie Kruse Natural Resources – Fish Consumption Survey Presentation. An advisory board will be working with the Natural Resources Department Personnel.

Warren C. Swartz, Jr. left the room at 10:21 a.m. and came back a few moments later.

Jean Jokinen left the room at 10:25 a.m. came back at 10:26 a.m.

4. Jean Jokinen, Secretary –

- a) Purchase and Procurement Policy changes. These were reviewed by Francis LaPointe, CFO.

MOTION MADE BY JEAN JOKINEN TO APPROVE THE PROCUREMENT POLICY WITH CHANGES. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 3 (Michael F. LaFernier, Sr., Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING – 1 (Susan J. LaFernier), ABSENT – 0. MOTION CARRIED.

- b) Resolution KB-020-2014 Social and Economic Development Strategies (SEDS) Grant. 3 year grant up to \$400,000 per year with match

Robert R.D. Curtis, Jr. left the room at 10:45 a.m.

Donald T. Shalifoe, Sr. left the room at 10:52 a.m. came back at 10:53 a.m.

- c) Resolution KB-021-2014 Social Employment and Economic Development Strategies (SEEDS) Grant. 5 year grant up to \$500,000 per year with match.

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-021-2014 FOR THE SEEDS GRANT FOR SOCIAL EMPLOYMENT AND ECONOMIC DEVELOPMENT STRATEGIES AT \$500,000 A YEAR FOR THE PURPOSE OF CREATING A ROAD BUSINESS. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Michael F. LaFernier, Sr., Susan J. LaFernier, Don Messer, Jr., Warren C. Swartz, Jr), OPPOSED – 0, ABSTAINING – 2 (Elizabeth “Chiz” Matthews, Jennifer Misegan), ABSENT – 1 (Robert R.D. Curtis, Jr.). MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO TABLE RESOLUTION KB-020-2014. SUPPORTED BY SUSAN LAFERNIER. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don

Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.). MOTION CARRIED.

5. Jason Ayres, Real Estate Officer –

a) Resolution KB-017-2014 Weylin K. Haataja Business/Commercial Lease for a Residential Rental

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-017-2014 COMMERCIAL LEASE (RESIDENTIAL RENTAL) FOR WEYLIN K. HAATAJA. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 , ABSTAINING - 0, ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.

b) Resolution KB-18-2014 Transfer Gary F. Loonsfoot, Sr.’s Commercial to Gary D. Hueckstaedt Residential Lease

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-018-2014 RESIDENTIAL LEASE FOR GARY D. HUECKSTAEDT. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 , ABSTAINING – 1 (Gary F. Loonsfoot, Sr.), ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.

c) Resolution KB-019-2014 Virginia A. Jermac Residential Lease and cancels prior lease with daughter, Sarah M. Beaver

MOTION MADE BY DON MESSER, JR. TO APPROVE RESOLUTION KB-019-2014 RESIDENTIAL LEASE FOR VIRGINIA A. JERMAC. SUPPORTED BY SUSAN J. LAFERNIER.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO TABLE RESOLUTION KB-019-2014 RESIDENTIAL LEASE FOR VIRGINIA A. JERMAC UNTIL IT GOES THROUGH PROBATE COURT. SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Carole L. LaPointe, Eddy Edwards, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Jennifer Misegan),

OPPOSED – 4 (Jean Jokinen, Elizabeth “Chiz” Matthews, Don Messer, Jr., Warren C. Swartz, Jr.) , ABSTAINING – 1 (Donald Shalifoe, Sr.), ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.

6. Lori Sherman, Natural Resources Director/Jeanne Kauppila, Motor Vehicle/Licensing Director – Commercial Fishing Applications (19)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE LIST OF COMMERCIAL FISHERMEN WITH THE CHANGES THAT WERE MENTIONED. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan), OPPOSED –0, ABSTAINING – 2 (Michael F. LaFernier, Sr., Warren C. Swartz, Jr.), ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.

7. Dan MacNeil, Tribal Attorney Office Administrator -

- a) Gerald L. Kirkish Business License Application/Red Dawn Productions

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BUSINESS LICENSE FOR GERALD L. KIRKISH FOR RED DAWN PRODUCTIONS. SUPPORTED BY DON MESSER, JR. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 , ABSTAINING - 0, ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.

- b) Suzanne Mleko Business License Application/Superior Painting

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE BUSINESS LICENSE FOR SUZANNE MLEKO FOR SUPERIOR PAINTING. SECONDED BY DON MESSER, JR. WARREN C. SWARTZ, JR. RESCINDED HIS MOTION.

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE BUSINESS LICENSE FOR SUZANNE MLEKO FOR SUPERIOR PAINTING UNTIL THE ATTORNEY’S OFFICE CAN VERIFY HER CURRENT ADDRESS. SUPPORTED BY SUSAN J. LAFERNIER. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don

**Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0 ,
ABSTAINING - 0, ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.**

J. Closed Session:

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED
SESSION AT 11:31 A.M. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN
FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Eddy Edwards, Gary F.
Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz”
Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED –
1 (Jean Jokinen) , ABSTAINING - 0, ABSENT – 1 (Robert R.D. Curtis, Jr.)
MOTION CARRIED.**

Break from 11:32 a.m. – 11:35 a.m.

1. Enterprise Employee Grievance Hearing Case #002-14

Don Messer, Jr. left at 11:40 a.m.

Robert R.D. Curtis, Jr. came back into the room at 12:00 p.m.

2. Dan MacNeil, Tribal Attorney Office Administrator – CSC IHS Case

**MOTION MADE BY JEAN JOKINEN TO GO INTO OPEN SESSION AT 12:26
P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN FAVOR
(Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Gary F.
Loonsfoot, Sr., Robert D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier,
Elizabeth “Chiz” Matthews, Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED
– 0 , ABSTAINING - 0, ABSENT – 1 (Don Messer, Jr.) MOTION CARRIED.**

**MOTION MADE BY JENNIFER MISEGAN TO TABLE ENTERPRISE
EMPLOYEE GRIEVANCE #002-14 UNTIL WE HEAR FROM DALE
SHALIFOE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN
FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards,
Gary F. Loonsfoot, Sr., Robert D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J.
LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan), OPPOSED – 2 (Jean
Jokinen, Warren C. Swartz Jr.) , ABSTAINING - 0, ABSENT – 1 (Don Messer, Jr.)
MOTION CARRIED.**

K. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 11:30 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT – 1 (Don Messer, Jr.) MOTION CARRIED.

Next meeting scheduled is Saturday, April 5, 2014 at 9:00 a.m.

Respectfully submitted,

Robin Roe
Administrative Specialist