

KEWEENAW BAY INDIAN COMMUNITY

2022 TRIBAL COUNCIL

KIM KLOPSTEIN, President
SUSAN J. LAFERNIER, Vice President
TONI J. MINTON, Secretary
DON MESSER, Assistant Secretary
RANDALL R. HAATAJA, Treasurer

Keweenaw Bay Tribal Center
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DOREEN G. BLAKER
ROBERT "R.D." CURTIS, JR.
EDDY EDWARDS
SUE ELLEN ELMBLAD
ELIZABETH "LIZ" JULIO
GARY F. LOONSFOOT, JR.
RODNEY LOONSFOOT

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
NIIWIN AKEAA CENTER/COUNCIL CHAMBERS ROOM 112
111 BEARTOWN ROAD, BARAGA, MI 49908
WEDNESDAY – FEBRUARY 9, 2022 – 9:00 A.M.

APPROVED

A. Date: February 9, 2022

JUN 08 2022

B. Call to Order: President Klopstein called the meeting to order at 9:03 a.m.

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

C. Invocation: Ojibwa Prayer by Elizabeth "Liz" Julio

D. Roll Call: Present: Kim Klopstein, President
Susan J. LaFernier, Vice President
Toni J. Minton, Secretary
Don Messer, Assistant Secretary
Randall R. Haataja, Treasurer (arrived at 9:51 a.m.)
Doreen G. Blaker
Robert R.D. Curtis, Jr. (via Zoom at 9:39 a.m.)
Eddy Edwards
Sue Ellen Elmblad
Elizabeth "Liz" Julio
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot

E. Declaration of Quorum: President Klopstein declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: February 9, 2022

Additions: New Business: 7. Larry Denomie, III, Ojibwa Casinos General Manager –
b. Resolution KB-012-2022 - Allocation of ARPA Funds
for Ojibwa Casino and C-Store Renovation Projects

Closed Session: 3. Gary F. Loonsfoot, Jr., Cannabis Developer – Cannabis
Discussion

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 2

(Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

G. For Your Information:

1. A "Thank you" from 2022 Project Graduation for Marquette Senior High School

H. Approval of Meeting Minutes

1. February 27, 2020

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE FEBRUARY 27, 2020 MINUTES. SUPPORTED BY DON MESSER. SIX IN FAVOR (Susan J. LaFornier, Toni J. Minton, Don Messer, Doreen G. Blaker, Eddy Edwards, Gary F. Loonsfoot, Jr.), OPPOSED – 0, ABSTAINING – 3 (Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

2. March 3, 2020

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE MARCH 3, 2020 MINUTES. SUPPORTED BY DON MESSER. SIX IN FAVOR (Susan J. LaFornier, Don Messer, Doreen G. Blaker, Eddy Edwards, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 3 (Toni J. Minton, Sue Ellen Elmblad, Elizabeth "Liz" Julio), ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

I. Old Business:

1. Jlyn Jorgenson, Assistant Tribal Attorney – KBIC Health System Vaccine Mandate Policies. The court history and more information regarding the medical and religious exemptions were reviewed.

MOTION MADE BY TONI J. MINTON TO APPROVE THE KBIC HEALTH SYSTEM EMPLOYEE MANDATORY COVID-19 IMMUNIZATION POLICY. SUPPORTED BY RODNEY LOONSFOOT. SIX IN FAVOR (Susan J. LaFornier, Toni J. Minton, Doreen G. Blaker, Eddy Edwards, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 3 (Don Messer, Sue Ellen Elmblad, Elizabeth "Liz" Julio), ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

J. New Business:

1. Duane Misegan, Chief of Police – Bids for (2) 2022 Chevrolet Tahoe Police Vehicles

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BIDS FROM BERGER CHEVROLET FOR TWO POLICE VEHICLES EACH AT \$42,171.00. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

2. Jason Ayres, Real Estate Officer –

- a. Resolution KB-002-2022 KBIC Membership in the Midwest Tribal Energy Resources Association (MTERA) which is comprised of 15 Member Tribes from the Midwest Region who offer customized assistance for different stages of energy planning. This was recommended by the C.A.R.E. Committee.

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-002-2022 KBIC MEMBERSHIP IN THE MIDWEST TRIBAL ENERGY RESOURCES ASSOCIATION (MTERA). CO-SUPPORTED BY DON MESSER AND SUE ELLEN ELMBLAD. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b. Resolution KB-009-2022 - ILCA Recoup Funding for a UFI Acquisition – Mary Anne Richards \$2,790.13

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-009-2022 ILCA RECOUP UFI ACQUISITION – MARY ANNE RICHARDS. CO-SUPPORTED BY DON MESSER AND ELIZABETH "LIZ" JULIO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- c. Resolution KB-010-2022 - ILCA Recoup Funding for a UFI Acquisition – Duane M. Misegan \$1,609.36

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE RESOLUTION KB-010-2022 ILCA RECOUP UFI ACQUISITION – DUANE M. MISEGAN. CO-SUPPORTED BY TONI J. MINTON AND DOREEN G. BLAKER. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- d. Resolution KB-011-2022 – Transfer Richard Wood Recreational Lease/Improvements to Edward E. Bourdage

MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-011-2022 – EDWARD E. BOURDAGE RECREATIONAL LEASE. CO-SUPPORTED BY DON MESSER AND ELIZABETH “LIZ” JULIO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmlad, Elizabeth “Liz” Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 2 (Randall R. Haataja, Robert R.D. Curtis, Jr.), MOTION CARRIED.

3. Erin Johnston, NRD Wildlife Biologist –

- a. Memo to Council – In 2019 the U.S. Fish and Wildlife Service revised their eagle retention policy to allow federally recognized Tribes to apply for a permit to retain certain eagle remains found on their lands
- b. Federal Fish and Wildlife Permit Application – Native American Tribal Eagle Retention. The KB NRD has offered to do the record keeping, assisting with investigations, and maintaining the Repository and the Wildlife Biologist has offered to be the designated Primary Contact Person for the application
- c. KBIC Migizi Retention Protocol (for sick, injured or dead eagles)
- d. KBIC Culturally Significant Species Repository Procedures (the Tribal Council seeks to provide KBIC Tribal members with the opportunity to obtain animals, animal parts, and plants donated to or acquired by the KBIC NRD via enforcement or other action. They will be distributed according to these procedures)

Robert R.D. Curtis, Jr. via Zoom at 9:39 a.m.

Randall R. Haataja arrived at 9:51 a.m.

Kim Klopstein left the room at: 9:52 a.m. – 9:56 a.m.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE KBIC MIGIZI RETENTION PROTOCOL AND TO APPLY FOR THE FEDERAL FISH AND WILDLIFE PERMIT-NATIVE AMERICAN TRIBAL EAGLE RETENTION CO-SUPPORTED BY ELIZABETH “LIZ” JULIO AND SUE ELLEN ELMBLAD. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth “Liz” Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 1 (Randall R. Haataja), ABSENT – 0, MOTION CARRIED.

4. Evelyn Ravindran, NRD Director – Michigan Economic Development Corporation (MEDC) Grant to provide funding for the purpose of conducting a feasibility study related to a shared kitchen food processing, education, and training facility in the Baraga area.
December 3, 2021-December 31, 2022 for \$12,324.00 and KBIC Match of \$3,081.00

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION GRANT AS PRESENTED. SUPPORTED BY RODNEY LOONSFOOT. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth

“Liz” Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 0, MOTION CARRIED.

Break: 10:16 a.m. – 10:26 a.m. -R.D. left Zoom (technical problems)

5. Kathy Mayo, Health Administrator – Baraga County Memorial Hospital (BCMh) Professional Services Agreement to provide physician services at the KBIC Health Systems on Wednesdays beginning January 19, 2022

MOTION MADE BY TONI J. MINTON TO APPROVE THE BCMH PROFESSIONAL SERVICES AGREEMENT AS PRESENTED. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth “Liz” Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- a. Jlyn Jorgenson, Tribal Attorney/Assistant – Amendment to KB-008-2022 – Coronavirus Vaccination Incentive Payment Program for Tribal Members Ages 5-11 Years. Added to B. Definition of Tribal Member: 2. “or eligible to be enrolled as a member”

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE AMENDMENT TO KB-008-2022 – VACCINATION INCENTIVE PAYMENT PROGRAM FOR AGES 5-11 YEARS AS PRESENTED. SUPPORTED BY DOREEN G. BLAKER. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Rodney Loonsfoot), OPPOSED – 4 (Eddy Edwards, Sue Ellen Elmblad, Elizabeth “Liz” Julio, Gary F. Loonsfoot, Jr.), ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.

6. Larry Denomie III, Ojibwa Casinos General Manager
 - a. North American Video (NAV) 3-Year Maintenance Support Order \$20,124.00 and Purchase of Surveillance Equipment \$38,194.00 for the Baraga Casino Renovations

*R.D. on Zoom

MOTION MADE BY EDDY EDWARDS TO APPROVE THE NORTH AMERICAN VIDEO (NAV) 3-YEAR MAINTENANCE SUPPORT ORDER AND PURCHASE OF SURVEILLANCE EQUIPMENT FOR THE BARAGA RENOVATIONS AS PRESENTED. SUPPORTED BY DON MESSER. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth “Liz” Julio, Rodney Loonsfoot, Gary F. Loonsfoot, Jr.), OPPOSED – 0, ABSTAINING – 0, ABSENT – 0, MOTION CARRIED.

- b. Resolution KB-012-2022 – KBIC Use of American Rescue Plan Act (ARPA) Funds in the amount of \$4,900,000.00 for Casino and C-Store Renovation Projects

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-012-2022 KBIC USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN THE AMOUNT OF \$4,900,000.00 FOR OJIBWA CASINO AND C-STORE RENOVATION PROJECTS AS PRESENTED. SUPPORTED BY DON MESSER. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Rodney Loonsfoot, Gary F. Loonsfoot, Jr.), OPPOSED – 0, ABSTAINING – 0, ABSENT – 0, MOTION CARRIED.

c. Weekly Update: iGaming, COVID-19, Financial Update, Other

7. Gary Loonsfoot, Jr., Cannabis Developer - Weekly Update: Crystal Falls, Marquette, Negaunee, Baraga, Mashkiki Application
8. Brigitte LaPointe-Dunham, CEO - Weekly Update: COVID-19, Employee Reports, Updates/Department Updates. The Ojibwa Senior Center will be re-opening on April 4, 2022
9. Robert R.D. Curtis, Jr. – Proposed 1st Reading Title 30 – At Risk Adult Provision

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO INTRODUCE AND WAIVE THE FIRST READING OF TITLE 30 – AT-RISK ADULT PROVISION. SUPPORTED BY GARY F. LOONSFOOT, JR. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Rodney Loonsfoot, Gary F. Loonsfoot, Jr.), OPPOSED – 0, ABSTAINING – 0, ABSENT – 0, MOTION CARRIED.

2nd Reading - Title 30 At-Risk Adult Provision is scheduled for March 9, 2022.

MOTION MADE BY GARY F. LOONSFOOT, JR. TO GO INTO CLOSED SESSION AT 11:02 A.M. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, ABSENT – 0, MOTION CARRIED.

K. Closed Session:

1. Kevin Carlisle, Tribal Attorney
 - a. Josh Clause – Land Claims Update (11:00 a.m.)
 - b. Weekly Update
2. Brigitte LaPointe-Dunham, CEO/Jennifer Misegan, Assistant CEO – Succession Planning (Power Point) Review
3. Gary F. Loonsfoot, Jr., Cannabis Developer – Cannabis Discussion

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 12:35 A.M. SUPPORTED BY SUE ELLEN ELMBLAD. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy

Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

L. Adjournment:

MOTION MADE BY TONI J. MINTON TO ADJOURN AT 12:36 P.M. CO-SUPPORTED BY ELIZABETH "LIZ" JULIO AND GARY F. LOONSFOOT, JR. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Respectfully submitted,



Robin Roe
CEO/President's Administrative Specialist