

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
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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
BIG BUCKS BINGO HALL
THURSDAY – AUGUST 14, 2014 – 9:00 A.M.

APPROVED
4-11-15

- A. Date: August 14, 2014
- B. Call to Order: Ogimaa Shalifoe called the meeting to order at 9:10 a.m.
- C. Invocation: Ogimaa Shalifoe
- D. Opening Song: Four Thunders
- E. 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.
Michael F. LaFernier, Sr.
Susan J. LaFernier
Elizabeth "Chiz" Matthews
Don Messer, Jr.
Jennifer Misegan
Warren C. Swartz, Jr.
- F. Declaration of Quorum: Ogimaa Shalifoe declared a quorum present and proceeded with the order of business.
- G. Approval of Agenda: August 14, 2014

MOTION MADE BY EDDY EDWARDS TO APPROVE THE AGENDA AS PRESENTED, CLOSED SESSION OPEN TO TRIBAL MEMBERS ONLY. SUPPORTED BY CAROLE LAPOINTE. SIX IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews), SIX OPPOSED (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Don Messer, Jr., Jennifer Misenan, Warren C. Swartz, Jr.), ABSTAINING - 0, ABSENT – 0 MOTION DEFEATED.

MOTION MADE BY WARREN C. SWARTZ, JR. TO MAKE A CHANGE TO THE AGENDA: CHANGE FROM CLOSED SESSION TO OPEN SESSION FOR TRIBAL MEMBERS AND HE MAKES A MOTION TO APPROVE THE AGENDA. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Carole L. LaPointe, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Don Messer, Jr., Jennifer Misenan, Warren C. Swartz, Jr.), FIVE OPPOSED – (Donald Shalifoe, Sr., Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT – 0 MOTION CARRIED.

MOTION MADE BY JEAN JOKINEN TO APPROVE THE AGENDA AND CLOSED TO THE MEDIA. MOTION DIED DUE TO LACK OF SUPPORT. (Jean made this motion because there was confusion on the above motions regarding the count.)

H. Open Session:

1. Donald Shalifoe, Ogimaa – The Judges’ Suspension_letter was read. Council requested a copy. He stated that Bradley T. Dakota was suspended without pay per five violations of the Personnel Policy regarding political activity and employee discipline. (see letter)

MOTION MADE BY EDDY EDWARDS TO APPROVE KB-043-2014. SUPPORTED BY CAROLE LAPOINTE. (The resolution was read but was not on the agenda)

The Tribal Court has allowed a suit against the Community, without its consent, to be initiated by Fred Dakota in his effort to restrain the Tribal Council from implementing approved Resolution KB-005-2014 by its officers and is threatening the Sovereign Immunity of the Keweenaw Bay Indian Community; and the Keweenaw Bay Indian Community Tribal Council confirms the Ogimaa’s suspension of the Chief Judge and the Associate Judge for interfering with the Keweenaw Bay Indian Community Tribal Council’s approved Resolution KB-005-2014 and orders both judges to cease all processes related to the civil suit filed against the Community’s officers for implementing

Resolution KB-005-2014; and The Keweenaw Bay Indian Community Tribal Council confirms such suspensions shall be for five days without pay and both judges shall then report to Tribal Court to resume their duties working a standard work week of Monday through Friday 8 a.m. to 4:30 p.m., effective Monday, August 18, 2014.

Judge Violet Friisvall Ayres Discussion

Dan MacNeil, Tribal Attorney Discussion (see memo)

Break 10:21 a.m. – 10:40 a.m.

MOTION MADE BY DON MESSER, JR. TO APPROVE KB-043-2014 WITH THE FRIENDLY AMENDMENTS TO REMOVE THE SUSPENSIONS OF THE JUDGES AND OPEN THE COURT IMMEDIATELY. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. Lapointe, Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), FIVE OPPOSED (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING - 0, ABSENT – 0 MOTION CARRIED.

Jennifer stated her opposition: She believes this Resolution is unlawful and violates not only our Constitution but our Tribal Code and it infringes on sovereignty.

Susan stated her opposition: She agrees and it would be nice to cite the right Article VI Section 1 (l) not (n) regarding Tribal Court in the Resolutions.

I. Closing Song: Four Thunders

J. Adjournment:

MOTION MADE BY JEAN JOKINEN TO ADJOURN AT 11:10 P.M. SUPPORTED BY EDDY EDWARDS. TWELVE 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, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT – 0 MOTION CARRIED.

Respectfully submitted,
Robin Roe
Administrative Specialist