

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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2015 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
JENNIFER MISEGAN, Vice President
TONI J. MINTON, Secretary
SUSAN J. LAFERNIER, Assistant Secretary
DOREEN G. BLAKER, Treasurer

ROBERT "R.D." CURTIS, JR.
EDDY EDWARDS
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
DON MESSER, JR.
DONALD SHALIFOE, SR.

MINUTES KEWEENAW BAY INDIAN COMMUNITY SPECIAL COUNCIL MEETING OJIBWA CASINO RESORT CONFERENCE ROOM THURSDAY – APRIL 2, 2015 – 9:00 A.M.

APPROVED

5-2-15

- A. Date: April 2, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:06 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Toni J. Minton, Secretary
Susan J. LaFernier, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (arrived at 9:15 a.m.)
Eddy Edwards
Randall R. Haataja
Michael F. LaFernier, Sr. (arrived at 10:30 a.m.)
Don Messer, Jr.
Donald Shalifoe, Sr. (arrived at 9:17 a.m.)
Absent: Gary F. Loonsfoot, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: April 2, 2015
- Additions: FYI- 12. Unemployment Benefits Handout
New Business- 3. Jennifer Misegan, Vice President – Housing Department
IDA Check Signers
4. Doreen Blaker, Treasurer – Zeba Hall Contact Person for
Use by Community Members
Closed Session- 3. Dan MacNeil, Tribal Attorney – Attorney/Client
Privilege Issue
- Replace Old Business 1. Larry Denomie III, CEO a) Inclement Weather Policy Amendment with Government Hiring Policy related to Director Level Hiring

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

G. For Your Information:

1. Zeba Water 2014 Consumer Confidence Report
2. Phone Poll regarding the acceptance of Eddy Edwards' Resignation from the Ojibwa Housing Authority as the Executive Director
3. Ojibwa Casino Hiring and Employment Policies Section I
4. Government Personnel Selection and Probation Policies 4.0
5. Selection Guidelines and Applicant Scoring Sheet (approved 3/26/15)
6. Minutes for Review August 14, 2014 and August 29, 2014
7. KBIC Purchasing and Procurement Policy (approved 3/14/15)
8. Ojibwa Holding Company Statement of Revenues and Expenditures 10/1/2014 – 1/31/2015
9. Ojibwa Holding Company Balance Sheet as of 1/31/2015
10. Ojibwa Housing Authority Statement of Revenues and Expenditures 10/1/2014 – 1/31/2015
11. Ojibwa Housing Authority Balance Sheet as of 1/31/2015
12. Unemployment Benefits Handout – Taxability of Services of Individuals Who are not Entitled to Unemployment Benefits (Elected Officials, Legislators, Judges)

H. Department Head Reports/December 2014-January 2015

MOTION MADE BY JENNIFER MISGEAN TO APPROVE THE DECEMBER 2014 AND JANUARY 2015 DEPARTMENT HEAD REPORTS. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

I. Approval of Meeting Minutes:

Robert R.D. Curtis, Jr. arrived at 9:15 a.m.

1. February 27, 2015

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FEBRUARY 27, 2015 MEETING MINUTES. SUPPORTED BY DON MESSER, JR. FIVE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Randall R. Haataja, Don Messer, Jr.), OPPOSED - 0, THREE ABSTAINING (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards), THREE ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

Donald Shalifoe, Sr. arrived at 9:17 a.m.

2. March 2, 2015

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MARCH 2, 2015 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Don Messer, Jr.), OPPOSED - 0, THREE ABSTAINING (Robert R.D. Curtis, Jr., Eddy Edwards, Donald Shalifoe, Sr.), TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

J. Old Business:

1. Larry Denomie III, CEO –

- a) Government Hiring Policy related to Director Level Hiring – Discussion - Larry will present the Council with new job descriptions as FYI.
- b) Purchasing and Procurement Policy

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE CHANGES TO THE CONTRACTS AND AGREEMENTS SECTION OF THE PURCHASING AND PROCUREMENT POLICY AND ALSO THE CONTRACT AND SERVICE AGREEMENT PROCEDURES FOR TIER I, TIER II, TIER III, AND TIER IV. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

K. New Business:

1. Larry Denomie III, CEO – David Firestone Services Agreement (Tier II)
[This no longer needs to come before the Council under the revised Purchasing and Procurement Policy]
2. Susan LaFernier, Assistant Secretary – Schedule Government Employee Appeal of Termination Hearing – The appeal hearing was scheduled for April 9, 2015 along with (1) additional grievance hearing.
3. Jennifer Misegan, Vice President – Housing Department IDA Check Signers

MOTION MADE BY JENNIFER MISEGAN TO HAVE THE CHECK SIGNERS FOR THE IDA ACCOUNTS FOR THE HOUSING DEPARTMENT BE THE INDIVIDUAL ACCOUNT HOLDER AND THE EXECUTIVE BOARD. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

4. Doreen Blaker, Treasurer – Zeba Hall Contact Person for Use by Community Members –

A meeting will be scheduled with the Interim CEO Office and Interim Housing Executive Director to discuss issues such as who the contact person will be for scheduling events and whether alcohol will be permitted.

L. Closed Session:

1. Toni Minton, Secretary/Susan LaFernier, Assistant Secretary – Employee Issues
2. Jennifer Misegan, Vice President – Employment Agreement Chief Executive Officer
3. Dan MacNeil, Tribal Attorney – Attorney/Client Privilege Issue

MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION AT 9:49 A.M. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Break: 9:50 – 10:00 a.m.

Mike LaFernier, Sr. arrived at 10:30 a.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 10:51 A.M. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.


Employee Issues -

MOTION MADE BY JENNIFER MISEGAN TO UPHOLD AND TO CONTINUE WITH THE PERSONNEL ACTIONS THAT HAVE BEEN ADDRESSED BY THE CEO DEALING WITH THE ACTIONS OF THE 2014 COUNCIL AS PRESENTED AND DISCUSSED AT THE MEETINGS ON FEBRUARY 27, 2015 AND MARCH 2, 2015 AS THEY DID NOT COMPLY WITH THE POLICY AT THE TIME INCLUDING THE GRIEVANCES PREVIOUSLY SCHEDULED. SUPPORTED BY SUSAN J. LAFERNIER. FIVE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr.), FIVE OPPOSED (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Don Messer, Jr., Donald Shalifoe, Sr.), ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), TIE VOTE. PRESIDENT SWARTZ ABSTAINED, MOTION DEFEATED.

M. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 10:55 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Loonsfoot".

Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – APRIL 2, 2015 – 9:00 A.M.

A. Date: April 2, 2015

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Jennifer Misegan, Vice President
 ___ Toni J. Minton, Secretary
 ___ Susan J. LaFernier, Assistant Secretary
 ___ Doreen G. Blaker, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Eddy Edwards
 ___ Randall R. Haataja
 ___ Michael F. LaFernier, Sr.
 ___ Gary F. Loonsfoot, Sr.
 ___ Don Messer, Jr.
 ___ Donald Shalifoe, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: April 2, 2015

G. For Your Information:

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2. March 2, 2015

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 - a) Inclement Weather Policy Amendment
 - b) Purchasing and Procurement Policy

K. New Business:

1. Larry Denomie III, CEO – David Firestone Services Agreement (Tier II)
2. Susan LaFernier, Assistant Secretary – Schedule Government Employee Appeal of Termination Hearing

L. Closed Session:

1. Toni Minton, Secretary/Susan LaFernier, Assistant Secretary – Employee Issues
2. Jennifer Misegan, Vice President – Contract

M. Adjournment: