

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 – AUGUST 20, 2015 – 9:00 A.M.

APPROVED
10-8-15

- A. Date: August 20, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President (arrived at 1:00 p.m.)
Toni J. Minton, Secretary (left at 11:52 a.m.)
Susan J. LaFernier, Assistant Secretary
Eddy Edwards (arrived at 9:28 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Don Messer, Jr. (left 9:43 – 9:53 a.m.)
Donald Shalifoe, Sr.
- Absent: Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 20, 2015
- Additions: New Business- 11. President Swartz – Language/Cultural Component
12. Donald Shalifoe, Sr. – Senior Trip Concerns

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

G. For Your Information:

1. Pauline Knapp Spruce - Information for the Sacred Water Walk on August 25, 2015
Munising to Bessemer

A reception, ceremony, feast, and sharing will be held at the Ojibwa Casino Resort Conference Room

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE A BUDGET OF UP TO \$1,662.00 FOR THE SACRED WATER WALK. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Toni J. Minton, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.

H. New Business:

1. Gregg Nominelli, Economic Developer –
 - a) Solar Furnace Pilot/Test Project Funding Request \$60,000.00 for (10) Senior homes

The Council will consider the funding during the budget process.

- b) CARE Recommendation for Solar Bids (6 Proposals) to install solar electric arrays at the Donald A. LaPointe Health and Education Center and the New Day Residential Treatment Facility funded by Indian Health Services

Eddy Edwards arrived at 9:28 a.m.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE MOVING FORWARD WITH THE LOWEST QUALIFIED BIDDER BLUE TERRA AND HOMELAND ENERGY TO THE CONTRACT NEGOTIATION STAGE. SUPPORTED BY DONALD SHALIFOE, SR. SEVEN IN FAVOR (Toni J. Minton, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFernier), THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Susan LaFernier stated her abstention: She opposed at CARE Committee

I. Old Business:

1. President Swartz – Cecelia Chosa/Anita Chosa Donation Request for additional Ceremony Travel on August 26, 2015 (\$250.00 is available to Tribal members for ceremony travel per year)

Prior the Council stated that an increase to the funding will be considered during the budget process.

MOTION MADE BY TONI J. MINTON TO APPROVE \$300.00 EACH TO CECELIA CHOSA AND ANITA CHOSA FOR MIDEWIN CEREMONY TRAVEL. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

2. Larry Denomie III, CEO – 4.0 Personnel Selection and Probation. Proposed changes to 1.0 Purpose and Authority and 3.0 Conditions Governing Employment. This is in reference to hiring employees and directors and a Hiring Authority.

Don Messer, Jr. left 9:43 – 9:53 a.m.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE POLICY CHANGES TO THE HIRING PROCESS AS PRESENTED. SUPPORTED BY DONALD SHALIFOE, SR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

[New Business]

2. Danielle Webb, Assistant Tribal Attorney –
 - a) Rick Geroux - Jimaganish Wadokaged Liquor License Renewal

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE LIQUOR LICENSE RENEWAL FOR JIMAGANISH WADOKAGED. SUPPORTED BY DON MESSER, JR.

MOTION MADE BY EDDY EDWARDS TO TABLE THE LIQUOR LICENSE RENEWAL FOR JIMAGANISH WADOKAGED UNTIL IT IS CONFIRMED THE NON-PROFIT CORPORATION STATUS IS IN GOOD STANDING. SUPPORTED BY DONALD SHALIFOE, SR.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE LIQUOR LICENSE RENEWAL FOR JIMAGANISH WADOKAGED CONTINGENT UPON THE REPORT BEING IN GOOD STANDING ACCORDING TO THE NON-PROFIT CODE. SUPPORTED BY DONALD SHALIFOE, SR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Break: 10:10 – 10:16 a.m.

J. Recognized Scheduled Delegation/Individuals:

1. Dan Leveque/Sam Olbekson – Ojibwa Casinos Master Planning Presentation/Cunningham Group for the Baraga and Marquette Casinos

[New Business]

3. Michael Schrader, General Manager Ojibwa Casinos/Christopher Schofield, Slots Manager – WMS Gaming Inc. Slot Machine Lease Purchase Option for Baraga and Marquette Casinos \$2,000.00 each for (20) machines at each site (or continue to lease the slots 20 @ \$1,200.00 = \$24,000.00 monthly)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PURCHASE OF THE SLOT MACHINES THROUGH THE LEASE PURCHASE OPTION WITH WMS GAMING INC. AT THE END OF THE RESPECTIVE LEASE AGREEMENTS. SUPPORTED BY DONALD SHALIFOE, SR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

4. Danielle Webb, Assistant Tribal Attorney – Project BE 15-J59 MOA between Indian Health Service and KBIC to complete an infiltration and inflow study for the Zeba Community wastewater system to serve approximately 125 existing homes on the Reservation for \$64,000.00

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE INDIAN HEALTH SERVICE AND THE KEWEENAW BAY INDIAN COMMUNITY FOR THE ZEBa INFILTRATION AND INFLOW STUDY. CO-SUPPORTED BY RANDALL R. HAATAJA AND DON MESSER, JR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

5. Danielle Webb, Assistant Tribal Attorney –

- a) Gerald P. Jondreau (not present) - Business License d/b/a Traditional Treasures (New) for local, traditional foods (wild rice)

MOTION MADE BY EDDY EDWARDS TO APPROVE GERALD JONDREAU FOR A BUSINESS LICENSE FOR TRADITIONAL TREASURES. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) Michael J. Beck (not present) d/b/a/ M-B-A (Mike Beck Auto Repair) Business License Renewal and Name Change

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BUSINESS LICENSE RENEWAL OF MICHAEL BECK FOR M-B-A (MIKE BECK AUTO) AND NAME CHANGE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

6. Kathy Mayo, Assistant Health Administrator (not present)/Danielle Webb, Assistant Tribal Attorney - Memorandum of Cooperative Agreement between Inter-Tribal Council of Michigan, Inc. and KBIC for Implementation of the Healthy Start Initiative for 10 months June 2015 – March 2016 \$87,200.00

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MEMORANDUM OF COOPERATIVE AGREEMENT BETWEEN THE INTER-TRIBAL COUNCIL OF MICHIGAN AND THE KEWEENAW BAY INDIAN COMMUNITY FOR THE IMPLEMENTATION OF THE HEALTHY START INITIATIVE. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Don Messer, Jr.), THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

7. President Swartz – Addition of Cultural Component with the Ojibwa Language Program in the school systems

The Council consensus was to move forward with Darrell Kingbird's request to add the cultural component to his curriculum in the schools.

8. Donald Shalifoe, Sr. – Senior Trip Concerns (to Las Vegas)

Donald stated there are concerns regarding who may participate in the senior trips. The Director told him the seniors that donate their time making pasties are the ones that can attend the trips.

The Council consensus was that being no tribal funds are allocated for these trips, it is at their discretion.

9. Robert R.D. Curtis, Jr., Outpatient Counselor (not present)/Eddy Edwards – Purchasing and Procurement Policy – Gift Cards

Per Eddy Edwards, there are restrictions with names being used for the distribution of gift cards from Outpatient and R.D. Curtis would like to request that ID numbers be used for accounting purposes in order to maintain confidentiality.

The Council will review the policy and bring the issue back at a later date.

10. President Swartz – Christmas Check Advance for Funeral Expenses (moved from Closed Session)

The Council consensus was to allow the advances, provided the proper forms were signed.

Lunch: 11:51 a.m. – 1:01 p.m. (Toni Minton left)

Jennifer Misegan arrived at 1:00 p.m.

Eddy Edwards and Don Messer, Jr. returned from lunch at 1:04 p.m.

11. Dale Dakota, KB Tribal Police Commissioner - Police Patrol Vehicle bids (2) COPS Grant

MOTION MADE BY DONALD SHALIFOE, SR. TO APPROVE THE BID FROM BIG VALLEY FOR A 2015 POLICE INTERCEPTOR IN THE AMOUNT OF \$28,553.00 PENDING THE FUNDING AGENCY. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, TWO ABSTAINING (Eddy Edwards, Don Messer, Jr.), THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

12. Jessica Koski, NRD Mining Technical Assistant – Save the Wild U.P. - Sign on Letter to the EPA (2) and Michigan D.N.R. (2)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE SIGNING THE SAVE THE WILD U.P. LETTER TO THE FOUR AGENCIES LISTED WHICH IS TO DENY THE PROPOSED MINERAL LEASE SOUGHT BY EAGLE MINE LLC FOR FORTY ACRES OF STATE OWNED LAND IN MARQUETTE COUNTY. CO-SUPPORTED BY JENNIFER MISEGAN AND DONALD SHALIFOE, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

13. Larry Denomie III, CEO – Weekly Update (written)

14. Brad Dakota, Tribal Chief Judge/Carole LaPointe, Health Administrator – Prisoner Health Care

Brad Dakota stated Tribal Court is responsible for inmate medical costs. Medicaid will not pay for individuals who are incarcerated.

Carole LaPointe stated they can be added to the funding agreement in place but a policy needs to be developed following the same priority list, without a residency clause. She will summarize and develop a policy to bring forward to the Health Board and then return to the Council.

K. Closed Session:

1. Jessica Koski, NRD Mining Technical Assistant – Exit Interview
2. Larry Denomie III, CEO – Employee Sick Leave Balances

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 2:01 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

MOTION MADE BY DON MESSER, JR. TO GO INTO OPEN SESSION AT 2:25 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

L. Approval of Meeting Minutes: (rescheduled)

1. October 30, 2014
2. December 6, 2014
3. December 11, 2014
4. December 18, 2014
5. December 19, 2014

M. Adjournment:

MOTION MADE BY DONALD SHALIFOE, SR. TO ADJOURN AT 2:27 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot (for Kim Klopstein)
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – AUGUST 20, 2015 – 9:00 A.M.

A. Date: August 20, 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: August 20, 2015

G. For Your Information:

1. Information for the Sacred Water Walk on August 25, 2015

H. Recognized Scheduled Delegation/Individuals:

1. Dan Leveque – Ojibwa Casinos Master Planning Presentation – **10:00 a.m.**

I. Approval of Meeting Minutes:

1. October 30, 2014
2. December 6, 2014
3. December 11, 2014
4. December 18, 2014
5. December 19, 2014

J. Old Business:

1. President Swartz – Cecelia Chosa Donation Request for Ceremony Travel
2. Larry Denomie III, CEO – 4.0 Personnel Selection

K. New Business:

1. Gregg Nominelli, Economic Developer –
 - a) Solar Furnace Pilot/Test Project Funding Request
 - b) CARE Recommendation for Solar Rids
2. Danielle Webb, Assistant Tribal Attorney – Project BE 15-J59 MOA between Indian Health Service and KBIC for Zeba Infiltration and Inflow Study
3. Danielle Webb, Assistant Tribal Attorney –
 - a) Gerald Jondreau Business License d/b/a Traditional Treasures
 - b) Mike Beck, d/b/a/ M-B-A Business License Renewal and Name Change
 - c) Jimaganish Wadokaged Liquor License Renewal
4. Kathy Mayo, Assistant Health Administrator/Danielle Webb, Assistant Tribal Attorney - Memorandum of Cooperative Agreement between Inter-Tribal Council of Michigan, Inc. and KBIC for Implementation of the Health Start
5. Michael Schrader, GM – WMS Gaming Inc. Slot Machine Lease Purchase Option
6. Dale Dakota, KB Tribal Police Commissioner - Police Vehicle bids
7. Brad Dakota, Tribal Chief Judge/Carole LaPointe, Health Director – Prisoner Health Care
8. Robert R.D. Curtis, Jr., Outpatient Counselor – Purchasing & Procurement Policy – Gift Cards
9. Larry Denomie III, CEO – Weekly Update
10. Jessica Koski – Save the Wild UP Sign on Letter

L. Closed Session:

1. Jessica Koski – Exit Interview
2. Larry Denomie III, CEO – Employee Sick Leave Balance
3. President Swartz – Christmas Check Advance for Funeral Expenses

M. Adjournment: