

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
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ROBERT "R.D." CURTIS, JR.
FRED DAKOTA
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, JR.
RODNEY LOONSFOOT
ELIZABETH D. MAYO

2017 TRIBAL COUNCIL

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

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – NOVEMBER 30, 2017 – 9:00 A.M.

APPROVED

- A. Date: November 30, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:14 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 12:09 p.m.)
Doreen G. Blaker, Treasurer (left 11:52 a.m. – 1:06 p.m.)
Robert R.D. Curtis, Jr. (arrived at 9:25 a.m., left 12:09 p.m.)
Fred Dakota (left at 10:45 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot (arrived at 1:05 p.m., left 1:31 – 2:25 p.m.)
Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 30, 2017
- Deletion: New Business- 1. Bobby Escobar, Assistant Tribal Attorney –
g) Francis LaPointe, Jr., CFO – Accurate Benefits
Tier III Services Agreement

JAN 06 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE DELETION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Rodney Loonsfoot), MOTION CARRIED.

G. For Your Information:

1. Council Poll November 27, 2017 regarding the Nepotism Waiver for the Eagle Radio Station Sales Rep Position (6 For/5 Opposed)

H. Old Business:

1. Larry Denomie III, CEO - Do it Best Sale of excess preference shares owned and valued at \$9,900.00

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE OJIBWA BUILDING SUPPLY DO IT BEST PREFERENCE SHARES SALE AT \$9,900.00. CO-SUPPORTED BY DOREEN G. BLAKER AND ELIZABETH D. MAYO. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Rodney Loonsfoot), MOTION CARRIED.

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney
 - a) Kathy Mayo, Interim Health Administrator - Memorandum of Cooperative Agreements with the Inter-Tribal Council of Michigan, Inc. (3)

Robert R.D. Curtis, Jr. arrived at 9:25 a.m.

- i. Tribal Personal Responsibility Education Program (PREP) September 30, 2017 - September 29, 2018 \$39,000.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF COOPERATIVE AGREEMENT WITH THE INTER-TRIBAL COUNCIL OF MICHIGAN IN THE AMOUNT OF \$39,000.00 FOR THE TRIBAL PREP PROGRAM. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

- ii. U.P Tribal Breast Health Coalition and Learning Collaborative September 29, 2017 – September 28, 2018 \$2,500.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF COOPERATIVE AGREEMENT WITH THE INTER-TRIBAL COUNCIL OF MICHIGAN IN THE AMOUNT OF \$2,500.00 FOR THE U.P. TRIBAL BREAST HEALTH COALITION AND LEARNING COLLABORATIVE. CO-SUPPORTED BY SUSAN J. LAFERNIER AND DOREEN G. BLAKER. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

- iii. Three Fires Comprehensive Cancer Control Program June 30, 2017 – June 29, 2018 \$10,000.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF COOPERATIVE AGREEMENT WITH THE INTER-TRIBAL COUNCIL OF MICHIGAN IN THE AMOUNT OF \$10,000.00 FOR THE THREE FIRES COMPREHENSIVE CANCER CONTROL PROGRAM. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

- iv. Jon Magnuson, Mental Health Counselor (present) and Dr. Michael Grossman, M.D. - Memorandum of Understanding with Cedar Tree Institute for Diabetes Mind/Body Strategy Studies

The Institute received a grant from the Blue Cross/Blue Shield Michigan Foundation to provide 24 volunteer adult tribal member participants mind/body strategies diagnosed with pre-diabetes, diabetes and metabolic syndrome that will enhance their overall health and well-being.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE CEDAR TREE INSTITUTE FOR THE RESEARCH PARTICIPATION OF DIABETES MIND AND BODY STRATEGY STUDIES. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFERNIER, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Jr., Rodney Loonsfoot), MOTION CARRIED.

(Gary Loonsfoot, Jr. is out of the room)

- b) Charles B. Brumleve - Millennium Services, Inc. Independent Contractor Agreement (Mining Consultant) October 1, 2017 – September 30, 2018 \$20,514.93 (balance of funding)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND MILLENNIUM SERVICES, INC. (CHARLES B. BRUMLEVE). SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

- c) Lori Sherman, Natural Resources Director/Charles B. Brumleve - Millennium Services, Inc. Tier III Services Agreement to provide geological and engineering technical assistance to the Great Lakes Resource Specialist, NRD, and Tribal Council October 1, 2017 - March 31, 2018 \$12,500.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TIER III SERVICES AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND MILLENNIUM SERVICES, INC. (CHARLES B. BRUMLEVE). SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

Charles Brumleve will provide a list of items he is working on for the Council to give feedback.

- d) Pines Convenience Center & Smoke Shop License to Purchase and Sell Tobacco Products, Alcoholic Beverage, and Business License Renewals January 1, 2018 – December 31, 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE RENEWAL OF THE BUSINESS LICENSE, ALCOHOLIC BEVERAGE LICENSE, AND LICENSE TO PURCHASE AND SELL TOBACCO PRODUCTS FOR THE PINES CONVENIENCE CENTER AND SMOKE SHOP. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

- e) Doreen Blaker, Housing Director
 - i. KBIC Housing Department and the KBIC Solid Waste Facility Tier III Services Agreement to provide curbside waste pick-up for 183 housing units located within Zeba and Baraga areas and will begin in January 2018. Bids (1) for 3 years (\$15.00 rate per month)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE TIER III SERVICES AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY HOUSING DEPARTMENT AND THE KBIC SOLID WASTE FACILITY. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Rodney Loonsfoot), MOTION CARRIED.

- ii. KBIC Housing Department Drug-Free Agreement Lease Addendum (includes all housing units, market rate rentals, and the Four Seasons) in regard to Methamphetamine (and testing). Discussion

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE KBIC HOUSING DEPARTMENT DRUG-FREE AGREEMENT LEASE ADDENDUM EFFECTIVE TODAY AND IMPLEMENT THE THIRTY-DAY TENANT NOTICE. SUPPORTED BY GARY F. LOONSFOOT, JR.

Fred Dakota left at 10:45 a.m.

The Council would like the Attorney's Office to review the agreement and changes and bring it back for the Saturday meeting.

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE DRUG-FREE AGREEMENT LEASE ADDENDUM UNTIL THE NEXT MEETING. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

- f) U.S. Department of Housing and Urban Development (HUD) Indian Housing Block Grant Agreement for FY2017 \$1,850,904.00

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE HUD INDIAN HOUSING BLOCK GRANT AGREEMENT FOR FY2017. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

Break: 10:53 - 11:04 a.m.

- 2. Hannah Beesley, Personnel Director – (Family Medicine) Physician Recruitment Agency Bids (3) for the Health Clinic

A one-year Tier III Services Agreement with Providence Healthcare Group was handed to the Council that included the recruitment for a Health Administrator as well. The fee is \$9,500.00 per position.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE PROVIDENCE HEALTHCARE GROUP TO RECRUIT A PHYSICIAN AS WELL AS A HEALTH ADMINISTRATOR AND TO APPROVE THE TIER III SERVICES AGREEMENT IN THE AMOUNT OF \$19,000.00 TO BE PAID OUT OF THE HEALTH CLINIC BUDGET. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

3. Sarah Smith, Assistant CEO/Jeanne Hirzel, Substance Abuse Programs Director - Architect/Engineering Services Bids (2) for the Halfway House Project and recommended U.P. Engineers Architects (UPEA)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE BID FROM UPEA IN THE AMOUNT OF \$87,000.00. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja), THREE OPPOSED (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

4. Larry Denomie III, CEO - Weekly Update

The fleet vehicle recently involved in an accident has been determined to be total loss and the value from the insurance company is \$15,000.00.

The Ojibwa Building Supply closed on Monday November 27, 2017. The total inventory value was \$135,000.00 for the 90% off sale and the approximate profit was \$13,500.00.

Bacco Construction had to repair a waterline break at the Baraga casino but it was fixed within a few hours and no closure was needed.

The Senior Elderly Nutrition Interim Director is Agnes "Totsie" Hueckstaedt and the position will be posted. (The former Interim was Michael Duschene)

Larry participated in a phone conference regarding the Veteran reimbursements (direct care reimbursement program) to our health clinic from the VA. Gerald Friisvall will be working temporary for Brent Schneider during a brief absence beginning in January at the L'Anse VA Office.

Larry met with Gundlach Champion yesterday regarding the proposal and contract.

Larry will meet with Superior National Bank on December 6th to provide updates on the casino projects and the GMP will be presented on the December 7th agenda.

A change order to the project in Baraga will have separate agreements and will not require a referendum vote because each expense will be under the \$500,000.00 threshold.

J. Closed Session:

1. Danielle Webb, Tribal Attorney –
 - a) Darrell Kingbird Language Instructor Employment Agreement Second Amendment
 - b) Update
2. Independent Appeals Officer Interview
3. Danielle Webb, Tribal Attorney/Joseph O'Leary, Baraga County Prosecuting Attorney –
Case Update

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 11:51 A.M. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

Doreen Blaker left at 11:52 a.m.

Lunch: 12:09 – 1:05 p.m. (Toni Minton and Robert R.D. Curtis, Jr. left)

Rodney Loonsfoot arrived at 1:05 p.m.

Doreen Blaker returned at 1:06 p.m.

Rodney Loonsfoot left the room 1:31 – 2:25 p.m. (per Tribal Attorney's request)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 3:18 P.M. SUPPORTED BY RODNEY LOONSFOOT. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Independent Appeals Officer – Susanna Peters, J.D., Hancock, MI

MOTION MADE BY JENNIFER MISEGAN TO OFFER SUSANNA PETERS THE POSITION OF INDEPENDENT APPEALS OFFICER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Doreen G. Blaker, Rodney Loonsfoot), THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:20 P.M. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – NOVEMBER 30, 2017 – 9:00 A.M.

A. Date: November 30, 2017

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

- ___ Warren C. Swartz, Jr., President
- ___ Jennifer Misegan, Vice President
- ___ Susan J. LaFernier, Secretary
- ___ Toni J. Minton, Assistant Secretary
- ___ Doreen G. Blaker, Treasurer
- ___ Robert R.D. Curtis, Jr.
- ___ Fred Dakota
- ___ Randall R. Haataja
- ___ Michael F. LaFernier, Sr.
- ___ Gary F. Loonsfoot, Jr.
- ___ Rodney Loonsfoot
- ___ Elizabeth D. Mayo

E. Declaration of Quorum:

F. Approval of Agenda: November 30, 2017

G. For Your Information:

1. Council Poll November 27, 2017 regarding the Nepotism Waiver for the Eagle Radio Station Sales Rep Position (6 For/5 Opposed)

H. Old Business:

1. Larry Denomie III, CEO - Do it Best Shares Sale Request

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney
 - a) Kathy Mayo, Interim Health Administrator - Memorandum of Agreement with the Inter-Tribal Council of Michigan, Inc. (3)
 - i. Tribal Personal Responsibility Education Program (PREP)
 - ii. U.P Tribal Breast Health Coalition and Learning Collaborative
 - iii. Three Fires Comprehensive Cancer Control Program

- iv. Memorandum of Understanding with Cedar Tree Institute for Diabetes Mind/Body Strategy Studies
 - b) Charles Brumleve - Millennium Services, Inc. Independent Contractor Agreement
 - c) Lori Sherman, Natural Resources Director/Charles Brumleve - Millennium Services, Inc. Tier III Services Agreement
 - d) Pines Convenience Center & Smoke Shop Renewal Licenses to Sell Tobacco Products, Alcoholic Beverage, and Business License
 - e) Doreen Blaker, Housing Director
 - i. KBIC Housing Department and the KBIC Solid Waste Facility Tier III Services Agreement/Bids
 - ii. Drug-Free Agreement Lease Addendum
 - f) HUD Indian Housing Block Grant Agreement for FY2017
 - g) Francis J. LaPointe, Jr., CFO – Accurate Benefits Tier III Services Agreement
 2. Hannah Beesley, Personnel Director – Physician Recruitment Agencies for the Health Clinic
 3. Sarah Smith, Assistant CEO - Architect/Engineering Services Bids (2) for the Halfway House Project
 4. Larry Denomie III, CEO - Weekly Update

J. Closed Session:

1. Danielle Webb, Tribal Attorney –
 - a) Darrell Kingbird Language Instructor Employment Agreement Second Amendment
 - b) Update
2. Independent Appeals Officer Interview – **11:15 a.m.**
3. Danielle Webb, Tribal Attorney/Joseph O’Leary, Baraga County Prosecuting Attorney – **1:00 p.m.**

K. Adjournment: