

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
Fax (906) 353-7540

2016 TRIBAL COUNCIL

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
EDDY EDWARDS
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
DONALD SHALIFOE, SR.

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – MAY 19, 2016 – 9:00 A.M.**

APPROVED
6-4-16

- A. Date: May 19, 2016
- 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
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 12:01 p.m.)
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (arrived at 9:11 a.m.)
Fred Dakota (left at 10:49 a.m.)
Eddy Edwards (left at 12:01 p.m.)
Randall R. Haataja
Michael F. LaFernier, Sr. (left at 1:51 p.m.)
Gary F. Loonsfoot, Sr.
Donald Shalifoe, Sr. (arrived at 9:10 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 19, 2016
- Addition: New Business- 5. Larry Denomie III, CEO – b) Rehire Policy

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

G. For Your Information:

1. A letter in support of KBIC's potential relocation of the casino in Chocolay Township to Governor Snyder from Scott Dianda, State Representative, and an invitation to meet for discussion
2. Doreen Blaker, Treasurer – Veterans Affairs Memorandum Of Understanding regarding loans. President Swartz stated that KBIC has this M.O.U.
3. ITC Resolution 05-16-16 Head Start and Early Head Start COLA (Cost of Living Adjustment 1.8%) Application which was approved by the I.T.C. Board on May 18, 2016

Donald Shalifoe, Sr. arrived at 9:10 a.m.

Robert R.D. Curtis, Jr. arrived at 9:11 a.m.

H. Approval of Meeting Minutes:

1. April 28, 2016

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE APRIL 28, 2016 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

2. May 4, 2016

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MAY 4, 2016 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

I. New Business:

1. Michael Schrader, Ojibwa Casinos General Manager/Mary Kostamo, Baraga Casino Cage Manager - Currency/Ticket Counter/Sorter Bids (3) for the Baraga Casino Soft Count Room

The funding will be taken from the capital outlay budget.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM DATA FINANCIAL IN THE AMOUNT OF \$35,482.00 FOR THE CURRENCY/TICKET COUNTER. SUPPORTED BY DONALD SHALIFOE, SR. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

2. Jason A. Ayres, Real Estate Officer & President, Committee for Alternative & Renewable Energy (CARE) - KBIC Health Clinic Solar Conduit Ownership

The KBIC Health Clinic Solar Project needs an underground electric line crossing under M-38. The Tribe is not a municipality nor considered a Village but can work through an agreement with the Baraga Telephone Company.

The Council consensus is to use the conduit route, working with the Baraga Telephone Company.

3. Lori Sherman, Director of Natural Resources/Erin Johnston, Wildlife Biologist –
 - a) Mary Hindelang, Ph.D. Tier III Services Agreement \$12,000.00 to update and revise the Integrated Resource Management Plan to integrate climate change resiliency

June 1, 2016 – December 30, 2016

MOTION MADE BY EDDY EDWARDS TO APPROVE THE TIER III SERVICES AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND MARY HINDELANG, Ph.D. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

- b) Whitewater Associates, Inc. Tier III Services Agreement (not to exceed \$108,000.00) to develop a Quality Assurance Project Plan, Wetlands Program Plan and Baseline Data Collection and Analysis specific to wild rice beds

May 19, 2016 – January 31, 2018

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE TIER III SERVICES AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND WHITEWATER ASSOCIATES, INC. SUPPORTED BY DOREEN G. BLAKER. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

4. Doreen Blaker, Treasurer – Baraga \$99,349.95/Marquette \$125,915.88 2% Worksheets
 - a) Resolution KB-022-2016 Baraga 2%

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-022-2016 BARAGA 2% USING THE CALCULATION AS DISCUSSED FOR THE LOCAL UNITS OF GOVERNMENT. 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, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

b) Resolution KB-023-2016 Marquette 2%

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-023-2016 MARQUETTE 2% AS DISCUSSED. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

c) Donations/May 2016 \$24,591.00

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FOLLOWING SPONSORSHIPS AND DONATIONS FOR MAY 2016: \$150 TO THE BARAGA AREA SCHOOL EDUCATIONAL SUPPORT TEAM, \$1,000 TO THE BARAGA AREA HIGH SCHOOL SOFTBALL TEAM, \$8,000 TO THE BARAGA COUNTY LUMBERJACK DAYS (FIREWORKS), \$100 TO HOSA NATIONAL LEADERSHIP CONFERENCE, \$500 TO CAMP NEW DAY U.P., \$13,321 TO THE L'ANSE AMERICAN LEGION POST #144, \$500 SPONSORSHIP TO CHERYNE CLEMENT FOR THE 2016 NPC JR. NATIONAL BODY BUILDING CHAMPIONSHIP, \$320 FOR THE 2016 CHAIRMAN'S GOLF OPEN AT LVD, \$200 TO THE BARAGA COUNTY CHAMBER OF COMMERCE GOLF TOURNAMENT, AND \$500 TO THE BARAGA COUNTY RELAY FOR LIFE TEAM OHANA WHICH WILL INCLUDE \$500 TO EACH TEAM REQUESTING THIS YEAR. SUPPORTED BY SUSAN J. LAFERNIER. 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, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

5. Larry Denomie III, CEO –

- a) Weekly Update
- b) Re-hire Policy for Review

Larry reported on his recent trip to Hawaii to attend the Native American Indian Housing Council Amerind Risk Annual Convention and will submit a full report. He also addressed the Council regarding a theft at the BP Gas Station which was a significant amount of money. This is a second offense for this person and he would like to make amendments to 20.4 Re-hire policy addressing the issue next week.

Jennifer Misegan, Vice President, announced a 'Thank you' to Jeff Loman for the donation of a saxophone to a young tribal member in need.

6. Susan LaFernier, Secretary – Schedule Government Employee Appeal of Dismissal Hearing Case #004-16

The hearing was scheduled for May 26, 2016 at 11:00 a.m.

J. Closed Session:

1. Ed Janisse, Eagle Radio Manager/Frances LaPointe, CFO - Range Telecommunications Services Agreement Tier IV
2. Larry Denomie III, CEO –
 - a) Ed Janisse General Manager/Radio Stations Employment Agreement Renewal
 - b) New Casino Project Discussion
 - c) Casino GM Update
3. Government Employee Appeal of Dismissal Hearing Case #003-16

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 10:19 A.M. SUPPORTED BY JENNIFER MISEGAN. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 10:20 – 10:32 a.m.

Fred Dakota left at 10:49 a.m.

Lunch: 12:01 – 1:06 p.m. (Toni Minton and Eddy Edwards left)

Michael LaFernier, Sr. left at 1:51 p.m.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO OPEN SESSION AT 2:56 P.M. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Government Employee Appeal of Dismissal Hearing Case #003-16

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO OVERTURN THE CEO'S DECISION REGARDING THE GOVERNMENT EMPLOYEE DISMISSAL IN CASE #003-16 AND TO REIMBURSE LOST WAGES AND ANNUAL/SICK LEAVE TIME, AND REQUIRE THAT EAP SERVICES MUST BE UTILIZED. SUPPORTED BY DONALD SHALIFOE, SR. FIVE IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Donald Shalifoe, Sr.), TWO OPPOSED (Jennifer Misegan, Gary F. Loonsfoot, Sr.), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Range Telecommunications Services Agreement Tier IV – New Radio Tower (Paradise Road – Houghton)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE TIER IV SERVICES AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND RANGE TELECOMMUNICATIONS IN THE AMOUNT OF \$314,000.00 AND REQUEST FUNDING FROM THE SHAKOPEE NATION. CO-SUPPORTED BY GARY F. LOONSFOOT, SR. AND DONALD SHALIFOE, SR. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 3:04 P.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Respectfully submitted,


Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – MAY 19, 2016 – 9:00 A.M.

A. Date: May 19, 2016

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
- Eddy Edwards
- Randall R. Haataja
- Michael F. LaFernier, Sr.
- Gary F. Loonsfoot, Sr.
- Donald Shalifoe, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: May 19, 2016

G. For Your Information:

1. A letter in support of KBIC's potential relocation of the casino in Chocolay Township to Governor Snyder from Scott Dianda, State Representative, and an invitation to meet for discussion
2. Doreen Blaker, Treasurer – Veterans Affairs Memorandum Of Understanding
3. ITC Resolution 05-16-16 Head Start and Early Head Start COLA (Cost of Living Adjustment) Application

H. Approval of Meeting Minutes:

1. April 28, 2016
2. May 4, 2016

I. New Business:

1. Michael Schrader, Ojibwa Casinos General Manager - Currency/Ticket Counter Bids (3) for the Baraga Casino
2. Jason A. Ayres, Real Estate Officer & President, Committee for Alternative & Renewable Energy (CARE) - KBIC Clinic Solar Conduit Ownership
3. Lori Sherman, Director of Natural Resources/Erin Johnston, Wildlife Biologist –
 - a) Mary Hindelang, Ph.D. 2016 Resource Management Plan Tier III Services Agreement
 - b) Whitewater Associates, Inc. Quality Assurance Project (Wild Rice) Tier III Services Agreement
4. Doreen Blaker, Treasurer – Baraga \$99,349.95/Marquette \$125,915.88 2% Worksheets
 - a) Resolution KB-022-2016 Baraga 2%
 - b) Resolution KB-023-2016 Marquette 2%
 - c) Donations/May 2016
5. Larry Denomie III, CEO – Weekly Update
6. Susan LaFernier, Secretary – Schedule Government Employee Appeal of Dismissal Hearing Case #004-16

J. Closed Session:

1. Ed Janisse, Eagle Radio Manager/Frances LaPointe, CFO - Range Telecommunications Services Agreement Tier IV – **11:15 a.m.**
2. Larry Denomie III, CEO –
 - a) Ed Janisse Employment Agreement General Manager/Radio Stations
 - b) New Casino Project Discussion
 - c) Casino GM Update
3. Government Employee Appeal of Dismissal Hearing Case #003-16 – **1:00 p.m.**

K. Adjournment: