

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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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 – SEPTEMBER 15, 2016 – 9:00 A.M.

APPROVED
10-27-16

- A. Date: September 15, 2016
- B. Call to Order: President Swartz called the meeting to order at 9:07 a.m.
- C. Invocation: Ojibwa Prayer by Donald Shalifoe, Sr./Lord's Prayer/Prayers for the Standing Rock Sioux Tribe
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President (left at 12:22 p.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 12:22 p.m.)
Doreen G. Blaker, Treasurer (left 10:41 – 11:47 a.m.)
Robert R.D. Curtis, Jr.
Fred Dakota (left at 10:29 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Donald Shalifoe, Sr.
- Absent: Eddy Edwards
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 15, 2016
- Deletion: New Business- 1. f) Gary Loonsfoot, Jr., Director of Cultural Resources - Harlan Downwind Spiritual Advisor Services Agreement Renewal
- Move Old Business 1. b) Matt Eliason – MJO Contracting, Inc. (Ford Farm Paving) Agreement First Amendment to Closed Session 4.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. 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.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

G. For Your Information:

1. A Condolence Card to the Community and to the families on the loss of James Shelifoe, Jr. and Alan Swartz of the Beartown Firefighters from Karen R. Diver, The White House Special Assistant to the President, Native American Affairs

President Swartz received a phone call from Governor Snyder offering his condolences for the loss of the two Beartown Firefighters.

H. Approval of Meeting Minutes:

1. August 25, 2016

MOTION MADE BY TONI J. MINTON TO APPROVE THE AUGUST 25, 2016 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. 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., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ONE ABSTAINING (Donald Shalifoe, Sr.), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

2. September 6, 2016

MOTION MADE BY TONI J. MINTON TO APPROVE THE SEPTEMBER 6, 2016 MEETING MINUTES. 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

I. Old Business:

1. Matt Eliason, Eliason Law Office – Carole LaPointe, Health Administrator (not present)/Micah Petoskey, IT Site Manager - Enterprise Systems Group Support Renewal Agreement

A correction on the total cost for services was brought forward in the amount of \$17,145.00. (\$16,238.00 was approved on September 10, 2016)

MOTION MADE BY TONI J. MINTON TO APPROVE THE ENTERPRISE SYSTEMS GROUP SUPPORT RENEWAL AGREEMENT AT THE CORRECTED COST. SUPPORTED BY JENNIFER MISEGAN. 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.

Robert R.D. Curtis, Jr. was out of the room.

2. Larry Denomie III, CEO - Global Market Advisors Addendum to Strategic Development Plan Ojibwa Casinos I & II September 2016 [Review]

J. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor –
 - a) Richard Geroux (not present) – Jimaganish Wadokaged Liquor License Renewal October 3, 2016 – October 2, 2017

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE JIMAGANISH WADOKAGED LIQUOR LICENSE RENEWAL. CO-SUPPORTED BY RANDALL R. HAATAJA AND 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

- b) Gerald Jondreau (not present) – Traditional Treasures (local, traditional foods, ie. wild rice) Business License Renewal August 18, 2016 – August 17, 2017

MOTION MADE BY DONALD SHALIFOE, SR. TO APPROVE GERALD JONDREAU'S BUSINESS LICENSE RENEWAL FOR TRADITIONAL TREASURES. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (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 (Jennifer Misegan), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Jennifer Misegan stated her opposition: She is not opposed to granting the license however she feels the application should have to be more specific with the items Gerald is selling.

- c) Lori Sherman, Director of Natural Resources - Great Lakes Indian Fish and Wildlife Commission (GLIFWC) Biological Services Subcontract

August 1, 2016 – December 31, 2016 \$44,085.55 to purchase equipment and supplies needed to perform fishery resource assessments

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE BIOLOGICAL SERVICES SUBCONTRACT BETWEEN THE GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION AND THE KEWEENAW BAY INDIAN COMMUNITY IN THE AMOUNT OF \$44,085.55. SUPPORTED BY DONALD SHALIFOE, 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

d) Evelyn Ravindran, NRD Hatchery-Nursery Manager (not present)/Lori Sherman, Director of Natural Resources –

i. Altronex Control Systems Tier III Services Agreement First Amendment
\$32,906.00

The scope of services is to add another production well and head tank which includes adding in a variable frequency drive, programming and training, to provide historical monitoring and trending capabilities with the inclusion of Wonderware software.

MOTION MADE BY TONI J. MINTON TO APPROVE THE TIER III SERVICES AGREEMENT FIRST AMENDMENT WITH ALTRONEX CONTROL SYSTEMS. SUPPORTED BY GARY F. LOONSFOOT, 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

ii. Memorandum Of Agreement with Michigan Department of Natural Resources for Wild Rice Beds Establishment \$20,000.00

September 15, 2016 - September 30, 2017

The purpose of the Memorandum is to outline relationships, responsibilities, and expectations of a collaborative partnership between Michigan Department of Natural Resources, Wildlife Division (DNR-WLD), and the Keweenaw Bay Indian Community. This agreement is entered into for the purpose of enhancing and reestablishing wild rice beds in the Western Upper Peninsula. (Marquette and Houghton County)

MOTION MADE BY DONALD SHALIFOE, SR. TO APPROVE THE MEMORANDUM OF AGREEMENT WITH THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR WILD RICE BEDS ESTABLISHMENT. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

- e) Carole LaPointe, Health Administrator (not present) – Michael McLucas Tier III Services Agreement for SuperiorRx, Inc. June 6, 2016 – July 6, 2017 - The fee schedule is \$770.00 per day.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE TIER III SERVICES AGREEMENT FOR SUPERIORRX, INC. WITH MICHAEL MCLUCAS FOR FILL-IN PHARMACY SERVICES.

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE AGREEMENT UNTIL THE HEALTH ADMINISTRATOR NEGOTIATES AN HOURLY RATE OR PROVIDES AN EXPLANATION AS TO WHY THE PAY RATE IS HIGHER THAN THE CURRENT FILL-IN PHARMACIST. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

2. Doreen Blaker, Treasurer –

- a) Donation Request for \$125.00 Freedom Reins Horse Club 2nd Place Prize Sponsorship for Steve Oger Memorial Poker Ride [no action]
- b) Donation Request for the 2nd Annual Mike Hazen Sr. Memorial (4) Person Golf Scramble on September 17, 2016 at the Lac Vieux Desert Golf Course \$260.00

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE SHAYN FOUCAULT'S REQUEST FOR A TEAM SPONSORSHIP TO THE MIKE HAZEN, SR. MEMORIAL GOLF SCRAMBLE. SUPPORTED BY DONALD SHALIFOE, 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

K. Closed Session:

- 1. Ojibwa Casinos I & II General Manager Interviews (4)
- 2. Danielle Webb, Tribal Attorney/Tribal Prosecutor –
 - a) Assistant Tribal Attorney Employment Agreement
 - b) Larry Denomie III, CEO - Gundlach Champion, Casino Construction Contracts
- 3. Larry Denomie III, CEO/Hannah Beesley, Personnel Director - Youth Personnel Issues
- 4. Matt Eliason, Eliason Law Office – MJO Contracting, Inc. (Ford Farm Paving) Agreement First Amendment

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 9:58 A.M. SUPPORTED BY GARY F. LOONSFOOT, 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, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Break: 9:59 – 10:12 a.m.

Fred Dakota left at 10:29 a.m.

Doreen Blaker left 10:41 – 11:47 a.m.

Lunch: 12:22 – 1:19 p.m. (Jennifer Misegan and Toni Minton left)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 2:02 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Toni J. Minton, Fred Dakota, Eddy Edwards), MOTION CARRIED.

Michael McLucas Tier III Services Agreement for SuperiorRx, Inc. - June 6, 2016 – July 6, 2017

MOTION MADE BY DONALD SHALIFOE, SR. TO APPROVE THE TIER III SERVICES AGREEMENT FOR SUPERIORRX, INC. WITH MICHAEL MCLUCAS FOR FILL-IN PHARMACY SERVICES. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Toni J. Minton, Fred Dakota, Eddy Edwards), MOTION CARRIED.

Assistant Tribal Attorney Employment Agreement - Roberto Escobar
September 15, 2016 – September 20, 2017 \$65,000.00 per year

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE EMPLOYMENT AGREEMENT FOR THE ASSISTANT TRIBAL ATTORNEY AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Toni J. Minton, Fred Dakota, Eddy Edwards), MOTION CARRIED.

[New Business]

3. Sarah Maki, Assistant CEO – Newsletter Editor Services Bids (2)

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

MJO Contracting, Inc. (Ford Farm Paving) Agreement First Amendment which designates Jason Ayres as the Owners Representative and change Engineer to Owners Designee

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE FIRST AMENDMENT TO THE MJO CONTRACTING, INC. AGREEMENT. SUPPORTED BY RANDALL R. HAATAJA. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), FOUR ABSENT (Jennifer Misegan, Toni J. Minton, Fred Dakota, Eddy Edwards), MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

The ICDBG grant for the Halfway House has been awarded in the amount of \$600,000.00 and Larry will be working on the internal operations. The new Forester, Mr. Collins, will start on Monday. The non-motorized trail funding has been approved by MEDC and the contract will be coming this week for signature. The Ford Farm Road project will be carried over into next the season.

Ojibwa Casinos I & II General Manager Position

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO OFFER THE GENERAL MANAGER POSITION TO DON WREN AND NEGOTIATE THE WAGE. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), FOUR ABSENT (Jennifer Misegan, Toni J. Minton, Fred Dakota, Eddy Edwards), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY SUSAN J. LAFERNIER TO ADJOURN AT 2:19 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Toni J. Minton, Fred Dakota, Eddy Edwards), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – SEPTEMBER 15, 2016 – 9:00 A.M.

A. Date: September 15, 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: September 15, 2016

G. For Your Information:

1. A Condolence Card from The White House Special Assistant to the President, Native American Affairs

H. Approval of Meeting Minutes:

1. August 25, 2016
2. September 6, 2016

I. Old Business:

1. Matt Eliason, Eliason Law Office –
 - a) Carole LaPointe, Health Administrator - Enterprise Systems Group Support Renewal Agreement
 - b) MJO Contracting, Inc. (Ford Farm Paving) Agreement First Amendment

2. Larry Denomie III, CEO - Global Market Advisors Addendum to Strategic Development Plan Ojibwa Casinos I & II

J. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor –
 - a) Carole LaPointe, Health Administrator – Michael McLucas Tier III Services Agreement for SuperiorRx, Inc.
 - b) Evelyn Ravindran, NRD Hatchery-Nursery Manager –
 - i. Altronex Control Systems Tier III Services Agreement First Amendment
 - ii. MOA with Michigan Department of Natural Resources for Wild Rice Beds Establishment
 - c) Lori Sherman, Director of Natural Resources - GLIFWC Biological Services Subcontract
 - d) Richard Geroux – Jimaganish Wadokaged Liquor License Renewal
 - e) Gerald Jondreau – Traditional Treasures Business License Renewal
 - f) Gary Loonsfoot, Jr., Director of Cultural Resources - Harlan Downwind Spiritual Advisor Services Agreement Renewal
2. Doreen Blaker, Treasurer –
 - a) Donation Request for Freedom Reins Horse Club
 - b) Donation Request for Mike Hazen Sr. Memorial Golf Scramble
3. Sarah Maki, Assistant CEO – Newsletter Editor Services Bids (2)
4. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. Ojibwa Casinos I & II General Manager Interviews (4) – **10:00 a.m. – 12:00 p.m.**
2. Danielle Webb, Tribal Attorney/Tribal Prosecutor –
 - a) Assistant Tribal Attorney Employment Agreement
 - b) Larry Denomie III, CEO - Gundlach Champion, Casino Construction Contracts
3. Larry Denomie III, CEO/Hannah Beesley, Personnel Director - Youth Personnel Issues

L. Adjournment: