

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
REGULAR TRIBAL COUNCIL MEETING  
OJIBWA CASINO CONFERENCE ROOM  
SATURDAY – MARCH 1, 2014 – 9:00 A.M.**

- A. Date: March 1, 2014
- B. Call to Order: Ogimaa Shalifoe called the meeting to order at 9:10 a.m.
- C. Invocation: Ojibwe/English prayer by Charlotte Loonsfoot
- D. Roll Call: Present: Donald T. Shalifoe, Sr., Ogimaa  
Carole L. LaPointe, Vice Chairwoman  
Jean Jokinen, Secretary  
Gary F. Loonsfoot, Sr., Assistant Secretary  
Eddy Edwards, Treasurer  
Michael F. LaFernier, Sr.  
Susan J. LaFernier  
Elizabeth “Chiz” Matthews  
Don Messer, Jr.  
Jennifer Misegan  
Warren C. Swartz, Jr.
- Absent: Robert R.D. Curtis, Jr.
- E. Declaration of Quorum: Ogimaa Shalifoe declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 1, 2014

Addition: Old Business: Transfer #1 of Old Business to FYI: 5. OHA Audit Outstanding Invoices 6. Jennifer Misegan – Inclement Weather 7. BIA Law Enforcement Audit

New Business – 5. Jennifer Misegan – Attorney Position 6. Library Resources

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE ADDITIONS/CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L.**

**LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan, Don Messer, Jr., Warren C. Swartz, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

G. For Your Information:

1. Letter from Bradley Dakota, Chief Judge
2. Letter from Marquette City Manager, William E. Vajda
3. Letter from National Congress of American Indians
4. Letter from Inter-Tribal Council of Michigan, Inc.
5. Donald T. Shalifoe/Eddy Edwards – OHA Audit: Outstanding Invoices (will be paid by the Attorney’s Office)

H. Treasurer’s Report/February 2014 – available for your review

**MOTION MADE BY CAROLE LAPOINTE TO ACCEPT THE TREASURER’S REPORT FOR FEBRUARY 2014. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Donald Messer, Warren C. Swartz, Jr.), OPPOSED – 2 (Susan LaFernier, Jennifer Misegan), ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

**Susan J. LaFernier didn’t receive the information on the \$½ - \$1 million savings was not included as requested.**

I. Ogimaa’s Report/February 2014 – available for your review

**MOTION MADE BY CAROLE LAPOINTE TO ACCEPT THE OGIMAA’S REPORT FOR FEBRUARY 2014. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Eddy Edwards, Michael F. LaFernier, Sr., Susan LaFernier, Elizabeth “Chiz” Matthews, Donald Messer, Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

J. Department Head Reports – January 2014

**MOTION MADE BY GARY LOONSFOOT SR. TO ACCEPT THE DEPARTMENT HEADS REPORTS FOR JANUARY 2014. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Eddy Edwards, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan), OPPOSED – 2 (Donald Messer, Warren C. Swartz, Jr.) ABSTAINING – 1 (Michael F. LaFernier, Sr.), ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

K. Old Business

1. Donald T. Shalifoe, Sr., Ogimaa – Robert’s Rule. Ogimaa will develop a new Robert’s Rules of Order on a census, good heart and with input from elders and spiritual leaders.
2. 3<sup>rd</sup> Reading Proposed Ordinance 2014-01 Tribal Code Title IV Juvenile Division Chapter 4.10 Section 4.1004

**MOTION MADE BY EDDY EDWARDS TO ADOPT THIS AMENDMENT TO THE TRIBAL CODE TITLE IV JUVENILE DIVISION SECTION 4.1004: THE COURT SHALL NOT PLACE ANY JUVENILE INTO THE CARE, CUSTODY OR CONTROL OF THE STATE OF MICHIGAN. SUPPORTED BY JEAN JOKINEN.**

**MOTION MADE BY GARY LOONSFOOT SR. TO TABLE THIS UNTIL THEY SEE MORE ON THE MOU IN WRITING THAT IS ON THE AGENDA FOR THIS THURSDAY’S MEETING. SUPPORTED BY WARREN C. SWARTZ, JR. SEVEN IN FAVOR (Gary F. Loonsfoot, Michael F. LaFernier, Sr. , Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 4 (Donald T. Shalifoe, Sr., Carole LaPointe, Jean Jokinen, Eddy Edwards) ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

3. 3<sup>rd</sup> Reading Proposed Ordinance 2013-04 Tribal Code Title Twenty Natural Resources Chapter 20B KBIC Mining Moratorium

**MOTION MADE BY JEAN JOKINEN TO APPROVE TRIBAL CODE TITLE TWENTY NATURAL RESOURCES CHAPTER 20B KBIC MINING MORATORIUM. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Eddy Edwards, Elizabeth “Chiz” Matthews, Donald Messer, Jr.), OPPOSED – 2 (Michael F. LaFernier, Sr., Susan J. LaFernier), ABSTAINING – 2 (Jennifer**

**Misegan, Warren C. Swartz, Jr.), ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

Susan J. LaFernier stated that the newsletter had a deadline of April 4<sup>th</sup> for comments.

4. Susan LaFernier – Casino Task Force Applications

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE TEN CASINO TASK FORCE APPLICANTS AND THAT THEY MEET THIS WEEK WITH THE OTHER APPROPRIATE STAFF. SUPPORTED BY WARREN C. SWARTZ, JR. SIX IN FAVOR (Gary F. Loonsfoot, Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Donald Messer, Jr., Warren C. Swartz, Jr.), OPPOSED – 4 (Donald T. Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards), ABSTAINING – 1 (Jennifer Misegan, she was an applicant), ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.**

5. Jennifer Misegan – Inclement Weather

**MOTION MADE BY JENNIFER MISEGAN THAT ALL GOVERNMENT EMPLOYEES WHO ARE REQUIRED TO WORK ON INCLEMENT WEATHER DAYS BE COMPENSATED: NON EXEMPT EMPLOYEES ARE TO BE PAID AT TIME AND A HALF AND EXEMPT EMPLOYEES WILL RECEIVE COMP TIME ONE TO ONE. SECONDED BY WARREN C. SWARTZ, JR. FOUR IN FAVOR (Michael F. LaFernier, Sr., Susan J. LaFernier, Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 5 (Donald T. Shalifoe, Sr., Carole L. LaPointe, Eddy Edwards, Jean Jokinen, Gary Loonsfoot, Sr.), ABSTAINING – 2 (Elizabeth “Chiz” Matthews, Donald Messer, Jr.), ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION DEFEATED.**

**MOTION MADE BY CAROLE L. LAPOINTE THAT ALL GOVERNMENT OFFICES BE OPEN DURING INCLEMENT WEATHER DAYS. SECONDED BY DONALD MESSER, JR. FIVE IN FAVOR (Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Donald Messer, Jr.), OPPOSED – 6 (Donald T. Shalifoe, Sr., Elizabeth “Chiz” Matthews, Michael F. LaFernier, Sr., Susan LaFernier, Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION DEFEATED.**

6. Jennifer Misegan – BIA Law Enforcement Audit Report

**MOTION MADE BY EDDY EDWARDS TO MAKE THE BIA AUDIT REPORT OF THE TRIBAL POLICE AN OFFICIAL RECORD OF THE TRIBAL COUNCIL WHICH IT WILL MAKE IT AVAILABLE IN THE TRIBAL SECRETARY'S OFFICE FOR ANY TRIBAL MEMBER TO REVIEW AT ANY REASONABLE TIME IT CANNOT BE PUT ONLINE BECAUSE IT IS CONFIDENTIAL. SECONDED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Donald Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 1 (Susan LaFernier), ABSTAINING – 1 (Jean Jokinen), ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION PASSED.**

L. New Business:

1. Donald T. Shalifoe, Sr., Ogimaa – Laptops for Tribal Service Members

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE PURCHASE OF LAPTOPS/ELECTRONIC DEVICES FOR TRIBAL MEMBERS WHO ARE CURRENTLY ACTIVE DUTY WITH A MAXIMUM UP TO \$1,000. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. NINE IN FAVOR (Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth "Chiz" Matthews, Donald Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 1 (Eddy Edwards) , ABSTAINING – 1 (Donald T. Shalifoe, Sr.), ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

2. Eddy Edwards, Treasurer – Donations March 2014

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE MARCH 2014 DONATIONS AS THE FOLLOWING: \$5000.00 TO MARK SCHAUR FOR MICHIGAN GOVERNOR CANDIDATE AND \$5000.00 TO GARY PETERS FOR U.S. SENATE CANDIDATE FOR MICHIGAN PAYABLE TO MICHIGAN DEMOCRATIC PARTY FEDERAL ACCOUNT. SUPPORTED BY WARREN C. SWARTZ, JR. EIGHT IN FAVOR (Carole L. LaPointe, Gary F. Loonsfoot, Eddy Edwards, Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth "Chiz" Matthews, Don Messer, Jr., Warren C. Swartz, Jr.), Opposed – 3 (Donald T. Shalifoe, Sr., Jean Jokinen, Jennifer Misegan), ABSTAINING - 0, ABSENT – 1 (Robert R.D. Curtis, Jr.), MOTION CARRIED.**

Jennifer Misegan states her opposition she would have been in favor for Mark Schauer's \$5,000.00 donation but not Gary Peters.

3. Eddy Edwards, Treasurer – Certify the Referendums (KB-011-2014/KB-012-2014)

**Taken off the agenda, there is no approved process to certify.**

4. Charlotte Loonsfoot, Natural Resources – She is requesting funds to attend the 11<sup>th</sup> White Earth Summit Conference. Pre-registration is due by March 6<sup>th</sup>. She will provide the information for Thursday’s meeting.
5. Jennifer Misegan – Attorney Position

**MOTION MADE BY JENNIFER MISEGAN TO POST FOR A TRIBAL ATTORNEY POSITION AND ADD INTO THE JOB DESCRIPTION THAT THEY WILL MENTOR A TRIBAL MEMBER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Gary F. Loonsfoot, Sr., Michael F. LaFerner, Sr., Susan J. LaFerner, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 4 (Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Elizabeth “Chiz” Matthews, , ABSTAINING – 1 (Donald T. Shalifoe, Sr.) ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.**

6. Jennifer Misegan – Library Resources

**MOTION MADE BY JENNIFER MISEGAN TO PROVIDE THE LIBRARY WITH COPIES OF THE CONSTITUTION, CODES, ORDINANCES, COUNCIL MINUTES AND ALLOTMENT ROLLS SO THAT THE MEMBERS HAVE ACCESS TO INFORMATION FOR REFERENCE. SUPPORTED BY SUSAN LAFERNIER. EIGHT IN FAVOR (Gary F. Loonsfoot, Sr., Eddy Edwards, Michael F. LaFerner, Sr., Susan J. LaFerner, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 3 (Donald T. Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen), ABSTAINING – 0, ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.**

M. Adjournment:

**MOTION MADE BY GARY F. LOONSFOOT SR. TO ADJOURN AT 10:50 A.M. SUPPORTED BY WARREN C. SWARTZ, JR.. ALL IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Michael F. LaFerner, Sr., Susan J. LaFerner, Elizabeth “Chiz”**

**Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT – 1 (Robert R.D. Curtis, Jr.) MOTION CARRIED.**

Next Meeting is March 6, 2014 @ 9:00 a.m.

Respectfully submitted,

Robin Roe  
Recording Secretary