

KEWEENAW BAY INDIAN COMMUNITY

2013 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
ELIZABETH D. MAYO, Vice-President
SUSAN J. LAFERNIER, Secretary
TONI J. MINTON, Assistant Secretary
JENNIFER MISEGAN, Treasurer

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

ROBERT R.D. CURTIS, JR.
FRED DAKOTA
JEAN JOKINEN
MICHAEL F. LAFERNIER, SR.
CAROLE L. LAPOINTE
ELIZABETH "CHIZ" MATTHEWS
DON MESSER, JR.

Dec 17 1936

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
FINANCE/SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – OCTOBER 10, 2013 – 9:00 A.M.**

APPROVED
3-12-15

- A. Date: October 10, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:01 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left at 2:43 p.m.)
Elizabeth D. Mayo, Vice President (arrived at 9:07 a.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (arrived at 9:05 a.m.)
Jennifer Misegan, Treasurer (left at 3:26 p.m.)
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe (arrived at 9:49 a.m.)
Elizabeth "Chiz" Matthews
Don Messer, Jr. (left at 1:22 p.m.)
- Absent: Robert R.D. Curtis, Jr.
Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 10, 2013
- | | | |
|------------|--------------------------------------|--|
| Deletion: | Closed Session-
New Business- | 2. Jacqueline Swartz – Hiring Procedure Discrepancy
4. Larry Denomie III, CEO – Weekly Update |
| Additions: | New Business-

Closed Session- | 6. Gary Loonsfoot, Jr., Director of Cultural Resources –
Mabel Lewis-Hill Services Agreement
7. President Swartz – Tammy Seymour Request
2. Larry Denomie III, CEO – U.S. Oil Supplier Agreement
3. Budget Review [Open to KBIC Members] |

Toni Minton arrived at 9:05 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Elizabeth Mayo arrived at 9:07 a.m.

G. Old Business:

1. Debra Picciano, TERO Director –

a) Emergency Medical Technology (EMT) Loan Program and Vocational Technical Student Guaranteed Loan Program

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE EMERGENCY MEDICAL TECHNOLOGY LOAN PROGRAM GUIDELINES. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Don Messer, Jr.), ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE VOCATIONAL TECHNICAL STUDENT GUARANTEED LOAN PROGRAM GUIDELINES AND TO CONSULT WITH THE TRIBAL ATTORNEY ON THE IMPLEMENTATION OF A DRUG TEST REQUIREMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

b) Pre-Employment/Job Readiness Fund Policy Review

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE KBIC TERO PRE-EMPLOYMENT JOB READINESS FUND POLICY WITH THE GUIDELINE RECOMMENDATIONS FROM THE TERO DIRECTOR.

Motion died for lack of support.

The Council believes this program is essential but would like Debra to re-write the guidelines and bring back with the recommendations.

H. New Business:

1. Pam Nankervis, NRD Wildlife Biologist – Request for Proposals (RFP) for Ecologist Assistance with KBIC Wildlife Management Plan not to exceed \$12,000.00

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE KBIC REQUEST FOR PROPOSALS FOR ECOLOGIST ASSISTANCE WITH KBIC WILDLIFE MANAGEMENT PLAN. SUPPORTED BY JEAN JOKINEN. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

2. Lori Sherman, NRD Director/Micah Petoskey, Water Resources Specialist – USGS Joint Funding Agreement FY2014 for the continuation of the operation of the streamflow and water quality monitoring sites on the Yellow Dog and East Branch Salmon Trout Rivers

Carole LaPointe arrived at 9:49 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO TABLE THE USGS JOINT FUNDING AGREEMENT FY2014 UNTIL THE COUNCIL CAN MEET WITH CHARLES BRUMLEVE MINING SPECIALIST. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Break: 9:53 – 10:06 a.m.

3. Susan LaFernier, Secretary –
 - a) Secretary’s Report/September 2013 – for your review
 - b) Schedule Government Employee Termination Hearing Case #004-13 – The hearing was scheduled for October 17, 2013 at 1:00 p.m.
4. Dotti Pryor, Pressbox Manager – Carol K. Carver/Tiger Productions Entertainment Agreement for the “Pressbox Fantasia Female Revue” on November 16, 2013 for \$1,000.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE ENTERTAINMENT AGREEMENT WITH CAROL K. CARVER OF TIGER PRODUCTIONS. SUPPORTED BY DON MESSER, JR. SEVEN IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), TWO OPPOSED (Susan J. LaFernier, Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

5. Gary Loonsfoot, Jr., Director of Cultural Resources – Mabel Lewis-Hill Services Agreement to provide language immersion services to students enrolled at Bay Mills Community College

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICES AGREEMENT WITH MABEL LEWIS-HILL INSTRUCTOR FOR THE LANGUAGE PROGRAM. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Carole L. LaPointe, Elizabeth “Cbiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

(Mike LaFernier, Sr. is out of the room)

6. President Swartz – Tammy Seymour Request for a Big Boat Commercial Fishing License

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE TAMMY SEYMOUR’S REQUEST FOR A BIG BOAT COMMERCIAL FISHING LICENSE UPON COMPLETION OF THE APPLICATION AND TO PRO-RATE THE FEE AND PENDING AVAILABLE TAGS. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

I. Closed Session:

1. Heather Chapman, Tribal Attorney –
 - a) I.H.S. CSC Case
 - b) OHA Audit Progress
 - c) Tribal Code Re-Codification Project
 - d) Sales and Use Tax Update
2. Larry Denomie III, CEO – U.S. Oil Supplier Agreement Update
3. Budget Review [Open to KBIC Members]

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 10:18 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Lunch: 11:51 a.m. – 1:02 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:03 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

[New Business]

7. Vince Rose, Miranda Malmsten, Employee Benefits Agency, Inc. – BC/BS Update on the Casino-Government plan reviews (see booklet)/Affordable Care Act

Don Messer, Jr. left at 1:22 p.m.

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 1:49 P.M. SUPPORTED BY CAROLE L. LAPOINTE. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Jean Jokinen), ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Don Messer, Jr.), MOTION CARRIED.

Break: 1:50 – 2:04 p.m.

President Swartz left at 2:43 p.m.

Vice President Mayo is chairing.

Jennifer Misegan left at 3:26 p.m.

MOTION MADE BY JEAN JOKINEN TO GO INTO OPEN SESSION AT 3:43 P.M. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Don Messer, Jr.), MOTION CARRIED.

J. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 3:44 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Don Messer, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – OCTOBER 10, 2013 – 9:00 A.M.

A. Date: October 10, 2013

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Elizabeth D. Mayo, Vice President
 ___ Susan J. LaFerner, Secretary
 ___ Toni J. Minton, Assistant Secretary
 ___ Jennifer Misegan, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Fred Dakota
 ___ Jean Jokinen
 ___ Michael F. LaFerner, Sr.
 ___ Carole L. LaPointe
 ___ Elizabeth "Chiz" Matthews
 ___ Donald Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: October 10, 2013

G. Old Business:

1. Debra Picciano, TERO Director –
 - a) Emergency Medical Technology (EMT) Program
 - b) Job Fund

H. New Business:

1. Pam Nankervis, NRD Wildlife Biologist - RFP for Ecologist Assistance with KBIC Wildlife Management Plan
2. Lori Sherman, NRD Director/Micah Petoskey, Water Resources Specialist – USGS Joint Funding Agreement FY2014
3. Dotti Pryor, Pressbox Manager – Carol K. Carver/Tiger Productions Entertainment Agreement
4. Larry Denomie III, CEO – Weekly Update
5. Susan LaFerner, Secretary –
 - a) Secretary's Report/September 2013
 - b) Schedule Government Employee Termination Hearing Case #004-I3

6. Vince Rose, Employee Benefits Agency – BC/BS Update/Affordable Care Act – **1:00 p.m.**

I. Closed Session:

1. Heather Chapman, Tribal Attorney –
 - a) I.H.S. CSC Case
 - b) OHA Audit Progress
 - c) Tribal Code Re-Codification Project
 - d) Sales and Use Tax Update
2. Jacqueline Swartz – Hiring Procedure Discrepancy – **11:30 a.m.**

J. Adjournment: