

# KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center  
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ROBERT "R.D." CURTIS, JR.  
MICHAEL F. LAFERNIER, SR.  
SUSAN J. LAFERNIER  
ELIZABETH "CHIZ" MATTHEWS  
DON MESSER, JR.  
JENNIFER MISEGAN  
WARREN C. SWARTZ, JR.

2014 TRIBAL COUNCIL

DONALD SHALIFOE, SR., Ojibwa  
CAROLE L. LAPOINTE, Vice Chairwoman  
JEAN JOKINEN, Secretary  
GARY F. LOONSFOOT, SR., Asst. Secretary  
EDDY EDWARDS, Treasurer

## MINUTES KEWEENAW BAY INDIAN COMMUNITY SPECIAL TRIBAL COUNCIL MEETING TRIBAL CENTER CONFERENCE ROOM THURSDAY – JUNE 27, 2013 – 9:00 A.M.

APPROVED

10-30-14

COPY

- A. Date: June 27, 2013
- B. Call to Order: Vice President Mayo called the meeting to order at 9:04 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Elizabeth D. Mayo, Vice President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary  
Robert R.D. Curtis, Jr.  
Fred Dakota (left 9:33 – 10:04 a.m.)  
Jean Jokinen  
Michael F. LaFernier, Sr.  
Carole L. LaPointe (arrived at 9:10 a.m.)  
Elizabeth "Chiz" Matthews  
Don Messer, Jr.  
Absent: Warren C. Swartz, Jr., President  
Jennifer Misegan, Treasurer
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 27, 2013  
Additions: New Business: 2. Bruce LaPointe – b) Federal Highway  
Funding for Spring Flooding  
6. Robert R.D. Curtis, Jr. – Donation Request for  
Dawn Hueckstaedt Auto Repairs

**MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Carole L. LaPointe), MOTION CARRIED.**

G. For Your Information:

1. Telephone Poll June 21, 2013 regarding Dawn Alexander Donation Request for son's flight home from the Navy to visit – Correct Susan and Mike LaFernier's vote from Abstain to N/A (they did not have the information to vote) 5 in Favor/4 Opposed

**Carole LaPointe arrived at 9:10 a.m.**

2. EPA Region 5 Mining Listening Sessions (for Tribal Governments) in Chicago, Illinois on August 20-21 – The Council will request Jeff Loman to attend along with a representative from the Natural Resources Department. Mike LaFernier would like a report when they
3. Housing Authority Monthly Report May 2013
4. BIA Response Letter pertaining to the Forestry Program
5. Isle Royale Special Sunset Cruise around Manitou Island July 5, 2013 \$40.00 – Council members will notify Susan LaFernier if they will attend.

H. Approval of Meeting Minutes:

1. September 5, 2012

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE SEPTEMBER 5, 2012 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFernier, Sr., Don Messer, Jr.), TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

2. September 6, 2012

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE SEPTEMBER 6, 2012 MEETING MINUTES WITH ONE CORRECTION ON PAGE THREE. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFernier, Sr., Don Messer, Jr.), THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Jean Jokinen), MOTION CARRIED.**

(Jean Jokinen out of the room)

3. September 8, 2012

**MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE THE SEPTEMBER 8, 2012 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ONE ABSTAINING (Don Messer, Jr.), TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

4. September 10, 2012

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE SEPTEMBER 10, 2012 MEETING MINUTES. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFerner, Sr., Don Messer, Jr.), TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

I. Recognize Scheduled Delegation/Individuals:

1. Debra Parrish – Donation Request for Sharon and (son) Derek Geroux Emergency Medical Travel airfare

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE \$2,251.20 FOR EMERGENCY TRAVEL FOR SHARON AND DEREK GEROUX. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

Fred Dakota left at 9:33 a.m.

J. Old Business:

1. Kristen Wakeham, Planner and Grants Specialist – Ojibwa Housing Authority Indian Housing Plan FY2014

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE OHA INDIAN HOUSING PLAN FOR FY2014. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Fred Dakota), MOTION CARRIED.**

2. Larry Denomie III, CEO – Proposed Annual Leave Carryover Policy (Government/Enterprise) He recommended that 240 hours maximum be allowed to be carried over at the end of the year

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE ANNUAL LEAVE CARRYOVER POLICY OF 160 HOURS FOR THE GOVERNMENT AND ENTERPRISE. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Fred Dakota), MOTION CARRIED.**

Break: 9:49 – 10:03 a.m.

Fred Dakota returned at 10:04 a.m.

[Recognize Scheduled Delegation/Individuals]

2. Chad Germann, President/CEO of Red Circle Agency/Tara Ezzell, Director of Casino – Casino Marketing Agency, Minneapolis, MN which specializes in Native-Owned They gave a Presentation/Proposal on Database Marketing and Promotions to improve casino profitability by more efficient and effective marketing tactics.

David Haataja, Dale Shalifoe, Tabitha Miller, Barb Mayo, Francis LaPointe present.

K. New Business:

1. Judy Heath, Social Services Director – Resolution KB-1943-2013 Title IV-B Child Services Grant – Subpart 1 for \$5565.00 with \$1,855.00 match. October 2013 – 2015

**MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-1943-2013 TITLE IV-B CHILD WELFARE SERVICES GRANT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Fred Dakota), MOTION CARRIED.**

(Fred Dakota out of the room)

2. Bruce LaPointe, Projects Manager –
  - a) 3 bids: He recommended Kiilunen Manufacturing Group, Inc. as Superior Products and the Services Agreement for spray foam insulation services

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE BID AND SERVICES AGREEMENT WITH SUPERIOR POLYMER PRODUCTS OF KIILUNEN MANUFACTURING GROUP, INC. IN THE AMOUNT OF \$1,960.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

- b) FYI- There is Federal Highway Funding Emergency Relief for Spring Run-off/Flooding for the roads on our inventory – Bruce will be amending the when the dollar amount becomes available.

3. Robert R.D. Curtis, Jr. – Donation Request for Dawn Hueckstaedt Auto Repairs for \$513.00

**MOTION MADE BY JEAN JOKINEN TO DENY THE REQUEST FROM DAWN HUECKSTAEDT AND HAVE HER WORK WITH THE HEALTH DEPARTMENT FOR MEDICAL APPOINTMENT TRANSPORTATION NEEDS. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

(Elizabeth Matthews out of the room)

**Lunch: 11:38 a.m. – 1:00 p.m.**

Lori Sherman, Natural Resources Department Director present (not on the agenda) – Lori permission for the State DNR to tag geese on Tribal land (Sand Point). Last year they were testing at the Head of the Bay.

The Council consensus was to allow the DNR to tag geese at Sand Point.

4. Larry Denomie III, CEO – Weekly Update

Larry requested a day in late July or early August to discuss the Health Care reform, Affordable Health Care Act (ACA) with the Council.

5. Gregg Nominelli, Economic Developer – Corporate Headquarters for Aanikoosing Inc. for office space and a possible business

The Council would like to discuss the issue with Lindy Grell, Tribal Attorney.

6. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant Manager – (3) Bids: (2) Rooftop HVAC Units (Air Conditioner/Heating)

**MOTION MADE BY DON MESSER, JR. TO APPROVE ALK CONTRACTING IN THE AMOUNT OF \$35,000.00 FOR A ROOFTOP HEATING AND AIR CONDITIONING UNIT FOR THE BARAGA CASINO. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Jean Jokinen), THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.**

(R.D. Curtis out of the room)

David Haataja gave an update on the presenters from earlier today. The amount to lease the equipment from the Red Circle Agency is \$5,000.00 per month.

L. Closed Session:

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:34 P.M. SUPPORTED BY TONI J. MINTON. FOUR IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), FIVE OPPOSED (Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION DEFEATED.**

The Council held a discussion on Closed Session items. Some members felt they should only be in Closed for those who request it. (The items listed in Closed were requested to be in closed).

[Closed Session]

1. Tribal Attorney’s Office – Airport Casino
2. Gary Loonsfoot, Jr., Director of Cultural Resources – Safe Lands for Repatriation
3. Susan LaFERNIER, Secretary – Schedule Government Employee Grievance Case #001-13
4. Larry Denomie III, CEO - Economic Development Assistant Position Options

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 1:40 P.M. SUPPORTED BY CAROLE L. LAPOINTE. FIVE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), FOUR OPPOSED (Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

**Break: 2:00 – 2:10 p.m.**

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO OPEN SESSION AT 2:57 P.M. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

Lois Bogda Medical Request for Air Ambulance Transport to Marquette General Hospital –

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE MEDICAL REQUEST FOR AN AIR AMBULANCE TRANSPORT FOR LOIS BOGDA FROM THE LARRY ASHER MEDICAL EMERGENCY FUND IN THE AMOUNT OF \$4,624.00. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

I.H.S. Contract Support Costs Settlement Case –

**MOTION MADE BY CAROLE L. LAPOINTE TO PROCEED WITH THE I.H.S. SETTLEMENT CASE AND INCLUDE IN THE LETTER THE FINAL TERMS OF \$3.3 MILLION IN DAMAGES AND ASK FOR ATTORNEY FEES AND INTEREST. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

Susan LaFernier stated that the information was just received from the attorney regarding the expert witnesses, etc.

M. Adjournment:

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 3:03 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jennifer Misegan), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist