

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.

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – DECEMBER 12, 2013 – 9:00 A.M.

APPROVED
3-12-15

- A. Date: December 12, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:09 a.m.
- C. Invocation: Lord's Prayer and prayers for Judy Smith who is in the hospital
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Jennifer Misegan, Treasurer (left 1:10 – 1:26 p.m.)
Robert R.D. Curtis, Jr.
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe (left at 2:33 p.m.)
Elizabeth "Chiz" Matthews
Don Messer, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 12, 2013

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA. SUPPORTED BY JENNIFER MISEGAN. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, 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, ABSENT - 0, MOTION CARRIED.

G. For Your Information:

1. Michigan Energy Assistance Program available for Low-Income Households, an Upper Peninsula project coordinated by Superior Watershed Partnership (Carl Lundquist) and St. Vincent De Paul to assist with energy bill payments and increasing home energy efficiency

2. A letter from Congressman Dan Benishek congratulating the Tribe on the B.I.A. U.S. Department of Transportation Grant Award to repair road damage throughout the Community

H. Approval of Meeting Minutes:

1. December 13, 2012

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE DECEMBER 13, 2012 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Robert R.D. Curtis, Jr., Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

I. Old Business:

1. OHA Board of Commissioners (not present) See memo from the Board. R.D Curtis stated that the Board answered all of the questions. Vice President Mayo read the answers/Community Development Corporation (not present) - (see letter from William E. Emery which was read by R. D. Curtis who is also on this Board). The letter stated that they plan to answer the questions but are not able until their attorney advises. There were concerns regarding loans.

Break: 9:50 – 10:00 a.m.

Eddy Edwards present to continue answering questions.

Break: 10:51 – 11:02 a.m.

2. Pam Nankervis, NRD Wildlife Biologist – For Your Information: 2013 KBIC Wildlife and Natural Resources Survey Report Review-Community Survey Results (824 surveys were mailed to Tribal members and the return rate was 32%) There were 19 pages with 184 questions. A \$1,200.00 participation prize drawing was held.

J. New Business:

1. Heather Chapman, Tribal Attorney –
 - a) Ronald and Katie Edwards Alcoholic Beverage License Renewal for Edwards 8 LLC Side Track Bar. He requested a refund for last year's fee and a waiver for this year's fee. He also has a State license.
 - b) Ronald and Katie Edwards New Food Service License for Side Track

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BUSINESS LICENSE RENEWAL OF RONALD AND KATIE EDWARDS FOR ALCOHOLIC BEVERAGES FOR THE SIDE TRACK BAR AND THE NEW FOOD SERVICE LICENSE. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, 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, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY JEAN JOKINEN TO WAIVE THE FEE FOR RON AND KATIE EDWARDS FOR THE LIQUOR LICENSE AND REFUND THE APPLICATION FEES. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), FIVE OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Lunch: 12:13 – 1:10 p.m.

- c) Roberta Jondreau Alcoholic Beverage License Renewal for Ojibwa Housing Authority - Ojibwa BP Gas Station
- d) Roberta Jondreau Tobacco Sales License Renewal for Ojibwa Housing Authority - Ojibwa BP Gas Station
- e) Roberta Jondreau Business License Renewal for Ojibwa Housing Authority - Ojibwa BP Gas Station, Ojibwa Laundromat & Car Wash, and Deli

Roberta Jondreau is not present. The Council consensus is to have Roberta available.

- f) 1,000 Foot School Buffer Zone for Sex Offenders - Criteria for measurement is needed to be added to the Sex Offender Registration Code update

Chuck Miller, Ken Marshall, and Jason Ayres present. The Council consensus is to use property line to property line with a possible grandfather clause for those already living at the Four Seasons apartments.

Jennifer Misegan returned from lunch at 1:26 p.m.

2. Jason Ayres, Realty Officer –

- a) USDA Lease Amendment No. 2 - Lease Extension Baraga County, Baraga, MI for the USDA Building on the Industrial Park Road until 2015

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE EXTENSION TWO UNTIL 2015. SUPPORTED BY CAROLE L. LAPOINTE. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, 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, ABSENT - 0, MOTION CARRIED.

- b) GIS Position Proposal to continue GIS Mapping, Data Creation and Maintenance Services to Tribal and Municipal Governments

MOTION MADE BY JENNIFER MISEGAN TO CONTINUE TO MAINTAIN THE CURRENT GIS POSITION UNDER THE REALTY DEPARTMENT IN THE AMOUNT OF \$51,000.00 FOR THIS FISCAL YEAR AND TO CONTINUE SEEKING REVENUE FROM OTHER SOURCES. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, 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, ABSENT - 0, MOTION CARRIED.

3. Jennifer Misegan, Treasurer – Compensation for Leave Time Accrued: 61.70 hours

MOTION MADE BY ELIZABETH D. MAYO TO REINSTATE THE SICK AND ANNUAL LEAVE TO JENNIFER MISEGAN DURING THE TIME SHE WAS OUT DUE TO HER FOOT INJURY. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ONE ABSTAINING (Jennifer Misegan), ABSENT - 0, MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. Government Employee Grievance Hearing Case #008-13 [Rescheduled 12/19/13 at 9:00 a.m.]
2. President Swartz - Innovative Gaming Solutions Final Report Review [Postponed]
3. Charles Brumleve – Mining Specialist Contract

Carole LaPointe left at 2:33 p.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 2:37 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

Break: 2:38 – 2:46 p.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO OPEN SESSION AT 3:07 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

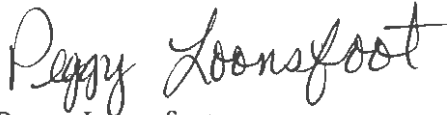
Mining Consultant Specialist – Charles Brumleve (Millenium Services)

MOTION MADE BY DON MESSER, JR. TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND MILLENIUM SERVICES, INC. WITH THE CHANGES DISCUSSED IN 3.1. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 3:08 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Loonsfoot".

Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – DECEMBER 12, 2013 – 9:00 A.M.

A. Date: December 12, 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
- ___ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: December 12, 2013

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2. A letter from Congressman Dan Benishek congratulating the Tribe on the U.S. Department of Transportation Grant Award

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2. Pam Nankervis, NRD Wildlife Biologist – Community Survey Results

J. New Business:

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 - b) Ronald and Katie Edwards New Food Service License for Side Track
 - c) Roberta Jondreau Alcoholic Beverage License Renewal for Ojibwa BP Gas Station
 - d) Roberta Jondreau Tobacco Sales License Renewal for Ojibwa BP Gas Station
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 - f) 1,000 Foot School Buffer Zone for Sex Offenders
2. Jason Ayres, Realty Officer –
 - a) USDA Lease Extension
 - b) GIS Position
3. Jennifer Misegan, Treasurer – Compensation for Leave Time Missed
4. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. Government Employee Grievance Hearing Case #008-13 – **1:00 p.m.**
2. President Swartz - Innovative Gaming Solutions Final Report Review
3. Charles Brumleve – Mining Specialist Contract

L. Adjournment: