

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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2017 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
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, JR.
RODNEY LOONSFOOT
ELIZABETH D. MAYO

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – DECEMBER 14, 2017 – 9:00 A.M.**

APPROVED

JAN 18 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: pl

- A. Date: December 14, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:12 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left at 2:50 p.m.)
Jennifer Misegan, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 12:00 p.m.)
Doreen G. Blaker, Treasurer
Fred Dakota (left at 10:40 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot (left at 12:30 p.m.)
Elizabeth D. Mayo
- Absent: Robert R.D. Curtis, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 14, 2017
- | | | |
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| Deletions: | Recognize Scheduled Delegation/Individuals- | 1. Don Wren, Ojibwa Casinos
General Manager/James Orr,
Marketing Director – PowerPoint
Presentation |
| | New Business- | 4. Gary Loonsfoot, Jr. – Closure of the
Tribal Center Policy |
| Addition: | FYI- | 5. Rodney Loonsfoot – New Vehicle for
KBIC Veterans |

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY RANDALL R. HAATAJA. TEN 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, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

G. For Your Information:

1. General Election December 16, 2017 Final Count to be held at the Ojibwa Senior Citizens Building (Elizabeth Mayo requested a copy of the updated Registered Voters list and Jennifer Misegan emailed it to her as changes were just completed yesterday)
2. A letter from Northern Natural Gas Company Northern Lights 2019 Expansion Project to Stakeholders regarding a proposed project to construct natural gas facilities in Minnesota
3. U.S. Army Corps of Engineers Public Notice for Comments related to a proposal to permanently place fill material into .81 acres of wetland in order to construct a skilled nursing and rehabilitation center to serve the need for senior care in Avon, Ohio
4. BIA Budget Workshop for Tribal Government Programs January 9-10, 2018 in Tempe, Arizona
5. The new 2018 Ford Explorer for the KBIC Veterans from the Wounded Warriors Family Support Network arrived

H. Approval of Meeting Minutes:

1. November 16, 2017

MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER 16, 2017 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, JR. TEN 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, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –
 - a) Jeanne Hirzel, Substance Abuse Programs Director – Northcare Network Provider Agreement for Substance Use Disorder Services funded through Medicaid, Block Grant, Healthy Michigan October 1, 2016 – September 30, 2018 with New Day and Outpatient Services

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE NETWORK PROVIDER AGREEMENT BETWEEN NORTHCARE NETWORK AND KBIC FOR SUBSTANCE USE DISORDER SERVICES. SUPPORTED BY RODNEY LOONSFOOT. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) Arlan Friisvall, Maintenance Director - Energenecs, Inc. Tier III Services Agreement to Upgrade Supervisory Control and Data Acquisition (SCADA) System at the Zeba Pump House \$55,000.00 term end date June 1, 2018

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE TIER III SERVICES AGREEMENT WITH ENERGENECS, INC. TO UPGRADE THE SUPERVISORY CONTROL AND DATA ACQUISITION AT THE ZEBA PUMP HOUSE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN 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, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- c) U.S. Department of the Interior Geological Survey (USGS) Joint Funding Agreement (JFA) for Michigan Water Science Center

For the streamgaging station on Salmon Trout and East Branch Salmon Trout Rivers and water quality monitoring on the Middle Branch Escanaba River near Humboldt. October 1, 2017 – September 30, 2018 \$40,376.00

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JOINT FUNDING AGREEMENT WITH THE USGS. SUPPORTED BY SUSAN J. LAFERNIER. TEN 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, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- d) Great Lakes Indian Fish and Wildlife Commission (GLIFWC) Memorandum of Agreement (MOA)

To provide funding for the Tribe to obtain the services of the USGS for the purpose stated in the JFA. Effective October 1, 2017. (C.) above

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF AGREEMENT WITH GLIFWC. SUPPORTED BY SUSAN J. LAFERNIER. TEN 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, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

2. Jason Ayres, Real Estate Officer –

- a) Resolution KB-055-2017 KBIC's Opposition to the Proposed Revisions Trust Acquisition Regulation Amendments 25 CFR Part 151 and requests the Department to immediately withdraw and cease any efforts to amend the land into trust regulations

MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-055-2017 KBIC'S OPPOSITION TO THE PROPOSED TRUST ACQUISITION REGULATION AMENDMENTS. SUPPORTED BY JENNIFER MISEGAN. TEN 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, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) Resolution KB-060-2017 Cancels Lease No. 475-23-00119-03 and KB-686-98 to Betsy C. Robillard Ross on 19060 Herman Road in L'Anse, Michigan and grants a Recreational Lease of the same property to Clara L. Corbett

Jason stated there is a third party who uses the property for access to their property and he is waiting for a written statement related to this issue.

MOTION MADE BY RODNEY LOONSFOOT TO GO INTO CLOSED SESSION. MOTION DIED FOR LACK OF SUPPORT.

MOTION MADE BY JENNIFER MISEGAN TO TABLE RESOLUTION KB-060-2017 CLARA L. CORBETT RECREATIONAL LEASE. CO-SUPPORTED BY RANDALL R. HAATAJA AND MICHAEL F. LAFERNIER, SR. 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, Jr., Elizabeth D. Mayo), ONE OPPOSED (Rodney Loonsfoot), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Break: 10:07 – 10:27 a.m.

- 3. Doreen Blaker, Housing Director – KBIC Housing Department Home Ownership Program Lease to Own Policy (for review)

Fred Dakota left at 10:40 a.m.

Discussion:

Toni Minton stated that she would like to see a fair lending institution written into the policy to ensure there is no discrimination against our members.

Lunch: 11:46 a.m. - 1:01 p.m. (Toni Minton and Rodney Loonsfoot left)

Continued Discussion: KBIC Housing Department Home Ownership Program Lease to Own Policy. The policy will be brought back with changes and suggestions.

4. Larry Denomie III, CEO –

- a) Fleet Vehicle Bids (3) for the Replacement of the 2016 Chevy Impala

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM ERA CHEVROLET (NORWAY, MI) IN THE AMOUNT OF \$26,880.00 FOR A 2018 CHEVROLET EQUINOX. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr.), TWO OPPOSED (Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

- b) Mental Health Days Policy Amendment to include Social Services Specialist

MOTION MADE BY ELIZABETH D. MAYO TO REMOVE THE MENTAL HEALTH DAYS FROM THE GOVERNMENT POLICY HANDBOOK. SUPPORTED BY GARY F. LOONSFOOT, JR. THREE IN FAVOR (Randall R. Haataja, Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), THREE OPPOSED (Susan J. LaFernier, Doreen G. Blaker, Michael F. LaFernier, Sr.), ONE ABSTAINING (Jennifer Misegan), FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), TIE VOTE. PRESIDENT SWARTZ IS OPPOSED, MOTION DEFEATED.

MOTION MADE BY GARY F. LOONSFOOT, JR. TO GIVE ALL GOVERNMENT STAFF THE MENTAL HEALTH DAYS PER QUARTER ACCORDING TO THE POLICY EFFECTIVE TODAY. SUPPORTED BY ELIZABETH D. MAYO.

The Council discussion was to try and determine who receives the days off as the policy states only direct counseling staff get mental health days off at New Day Treatment Center and Youth & Family Services.

MOTION MADE BY SUSAN J. LAFERNIER TO TABLE THE MENTAL HEALTH DAYS POLICY AMENDMENT UNTIL WE HAVE A STUDY OR SURVEY TO SEE WHO THIS SHOULD PERTAIN TO. SUPPORTED BY DOREEN G. BLAKER. FIVE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr.), TWO OPPOSED (Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

- c) Baraga Casino and Hotel Project New Water Service Line Request from Gundlach Champion \$23,900.00 end January 31, 2018 (install a new 4" line)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TIER II SERVICES AGREEMENT WITH GUNDLACH CHAMPION FOR THE BARAGA CASINO WATERLINE PROJECT IN THE AMOUNT OF \$23,900.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

d) Weekly Update

The Baraga Youth Christmas party is scheduled for Saturday, December 16.

The Marquette kids will get an extra \$5 in their gift cards because they will not be having a party. They did have a stocking decorating activity that Baraga kids did not have.

Tashina Emery is using BALAC funds for a dance and ugly sweater contest. The dance is scheduled on Friday, December 15.

A finance meeting was held with Superior National Bank regarding the casino projects. The bank is requesting a new market feasibility study. Elizabeth Mayo would like to meet with the CFO to review our financial situation before a decision is made on a new market study.

New Medicaid policy changes: The policy was postponed the day after comments were made.

Larry met with Gundlach yesterday regarding the project in Baraga. The drain tile is complete and they plan to finish laying the concrete before winter but they are waiting for the GMP overall proposal. There will be cost increases going into the New Year because their costs were based on 2017.

Larry stated that Gundlach has met with TERO related to the hiring of tribal members.

President Swartz announced the retirement party for Joyce Chosa (20 years at Head Start) will be held in the Chippewa room tomorrow from 5:00 to 7:00 p.m.

J. Closed Session:

1. Larry Denomie III, CEO –
 - a) Kathy Mayo, Interim Health Administrator - Jody Jinkerson (Nurse Practitioner) Employment Agreement Renewal Negotiation Terms
 - b) Eagle Radio GM Employment Agreement and Tower Project Requirements Update
2. Danielle Webb, Tribal Attorney - Update

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO CLOSED SESSION AT 1:57 P.M. SUPPORTED BY RANDALL R. HAATAJA. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

President Swartz left at 2:50 p.m.

(Vice President Misegan is chairing the meeting)

MOTION MADE BY RANDALL R. HAATAJA TO GO INTO OPEN SESSION AT 3:11 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:12 P.M. CO-SUPPORTED BY MICHAEL F. LAFERNIER, SR. AND GARY F. LOONSFOOT, JR. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – DECEMBER 14, 2017 – 9:00 A.M.

A. Date: December 14, 2017

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
- Randall R. Haataja
- Michael F. LaFernier, Sr.
- Gary F. Loonsfoot, Jr.
- Rodney Loonsfoot
- Elizabeth D. Mayo

E. Declaration of Quorum:

F. Approval of Agenda: December 14, 2017

G. For Your Information:

1. General Election December 16, 2017 Final Count to be held at the Ojibwa Senior Citizens Building
2. A letter from Northern Natural Gas Company
3. U.S. Army Corps of Engineers Public Notice for Comments
4. BIA Budget Workshop for Tribal Government Programs

H. Approval of Meeting Minutes:

1. November 16, 2017

I. Recognize Scheduled Delegation/Individuals:

1. Don Wren, Ojibwa Casinos General Manager/James Orr, Marketing Director - Power Point Presentation – **9:30 a.m.**

J. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –
 - a) Jeanne Hirzel, Substance Abuse Programs Director – Northcare Network Provider Agreement for Substance Use Disorder Services
 - b) Arlan Friisvall, Maintenance Director - Energenecs, Inc. Tier III Services Agreement to Upgrade Supervisory Control and Data Acquisition (SCADA) System at the Zeba Pump House
 - c) GLIFWC Memorandum of Agreement
 - d) U.S. Department of the Interior Geological Survey Joint Funding Agreement for Michigan Water Science Center
2. Jason Ayres, Real Estate Officer –
 - a) Resolution KB-055-2017 KBIC's Opposition to the Proposed Trust Acquisition Regulation Amendments
 - b) Resolution KB-060-2017 Clara L. Corbett Recreational Lease (Acquisition of Betsy C. Robillard Ross Lease)
3. Doreen Blaker, Housing Director – KBIC Housing Department Home Ownership Program Lease to Own Policy
4. Gary Loonsfoot, Jr. – 7.3 Closure of the Tribal Center Policy
5. Larry Denomie III, CEO –
 - a) Mental Health Days Policy Amendment to include Social Services Specialist
 - b) Fleet Vehicle Bids (3) for the Replacement of the 2016 Chevy Impala
 - c) Baraga Casino Project Waterline Request from Gundlach Champion
 - d) Weekly Update

K. Closed Session:

1. Larry Denomie III, CEO –
 - a) Eagle Radio GM and Tower Project Update
 - b) Jody Jinkerson Contract Renewal Negotiation Terms
2. Danielle Webb, Tribal Attorney - Update

L. Adjournment: