

KEWEENAW BAY INDIAN COMMUNITY

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

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
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JANUARY 19, 2017 – 9:00 A.M.

APPROVED
2-21-17

- A. Date: January 19, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:05 a.m.
- C. Invocation: Ojibwa Prayer by President Swartz/Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 11:55 a.m.)
Robert R.D. Curtis, Jr. (left 11:55 a.m. – 2:07 p.m.)
Fred Dakota (left at 10:26 a.m.)
Randall R. Haataja (left at 3:18 p.m.)
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot
Elizabeth D. Mayo
- Absent: Doreen G. Blaker, Treasurer
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: January 19, 2017
- Addition: Closed Session- Susan LaFernier, Secretary – 3. Update on Case #008-16 Appeal of Dismissal Hearing

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

G. For Your Information:

1. Nominations sought by the Administration for Children and Families (ACF) Tribal Advisory Committee (TAC)
2. Resignation of Patrick A. Miles, Jr., United States Attorney for the Western District of Michigan effective January 20, 2017
3. SAVE THE DATE: Drug Discussion with the Upper Peninsula Substance Enforcement Team on January 23, 2017 in the Ojibwa Resort Conference room at 2:30 p.m.
4. Susan J. LaFernier, Secretary/Duane Misegan, Chief of Police – Drug Task Force Information – Discussion on Participants

H. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor – Resolution KB-003-2017 Litigation Support Application to the Bureau of Indian Affairs for KBIC's tax/treaty dispute and the Swamp Land Claim

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-003-2017 FY2017 FUNDING REQUEST LITIGATION SUPPORT APPLICATION. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

2. Jason Ayres, Real Estate Officer –

- a) Resolution KB-001-2017 Mukkala Trust Property Acquisition and Purchase Agreement \$52,000.00 40 acres Chocolay Township Marquette County

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-001-2017 MUKKALA TRUST PROPERTY ACQUISITION. CO-SUPPORTED BY FRED DAKOTA AND MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

- b) Resolution KB-002-2017 Marquette County Land Bank Authority Property Acquisition \$7,500.00 40 acres Chocolay Township Marquette County and letter to the Authority regarding the offer.

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE RESOLUTION KB-002-2017 MARQUETTE COUNTY LAND BANK PROPERTY ACQUISITION AND LETTER. CO-SUPPORTED BY JENNIFER MISEGAN AND MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Don Wren, Ojibwa Casinos General Manager – Casino Proposals [Deleted]

3. Jennifer Misegan, Vice President – Superior National Bank & Trust Company

- a) Corporate Resolution KB-004-2017 Board of Directors Authority
- b) Letter of Direction related to Francis LaPointe, CFO

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-004-2017 BOARD OF DIRECTORS AUTHORITY AND THE CHIEF FINANCIAL OFFICER AUTHORITY LETTER TO SUPERIOR NATIONAL BANK. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

4. Gary Loonsfoot, Jr. –

- a) Donation Request from Adam Dakota for Benefit Dinner Supplies

Adam Dakota is requesting a donation to help with a fundraiser to benefit his Mother, Cari McMahon with her medical related and living expenses – L’Anse Eagles Club February 4, 2017

MOTION MADE BY FRED DAKOTA TO APPROVE THE DONATION REQUEST FROM ADAM DAKOTA IN THE AMOUNT OF \$1,000.00 FOR A BENEFIT DINNER FOR HIS MOTHER, CARI MCMAHON, FOR HER MEDICAL TRAVEL AND LIVING EXPENSES. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

- b) Future Use of Bingo Hall Building - The Council is considering different uses for the hall. Currently, if an organization would like to schedule an event in the hall they can contact the Casino to reserve a space on the calendar.

5. Larry Denomie III, CEO – Weekly Update

Larry met with Cunningham, Gundlach Champion, and the Casino Work Group regarding the casino plans and changes were addressed. The changes will be brought to Council for review.

I. Closed Session:

- 1. Michelle Hoggard – Personnel Issue

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:25 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.
Break: 10:26 – 10:38 a.m. (Fred Dakota left)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO GO INTO OPEN SESSION AT 11:52 A.M. SUPPORTED BY RODNEY LOONSFOOT. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

Convenience Store Organizational Structure/Assistant Managers Hired –

MOTION MADE BY JENNIFER MISEGAN TO CHANGE THE ORGANIZATIONAL STRUCTURE OF THE CONVENIENCE STORES TO ONE MANAGER AND THREE ASSISTANT MANAGERS AND TO INCORPORATE THE DUTIES OF TOBACCO MANUFACTURING INTO ONE OF THE JOB DESCRIPTIONS FOR ONE OF THE ASSISTANT MANAGERS AND TO HIRE THE TWO KBIC CANDIDATES THAT RECENTLY APPLIED FOR THE ASSISTANT MANAGER POSITION. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

Lunch: 11:55 a.m. – 12:59 p.m. (Toni Minton and Robert R.D. Curtis, Jr. left)

[Closed Session]

2. Susan LaFernier, Secretary – Update on Case #008-16 Appeal of Dismissal Hearing
3. Assistant Tribal Attorney Interview/Kevin Carlisle – (via Teleconference)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:00 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Mayo returned from lunch at 1:13 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:58 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.

Break: 1:59 – 2:07 p.m. (Robert R.D. Curtis, Jr. returned from lunch)

Randall Haataja left at 3:18 p.m.

J. Recognize Scheduled Delegation/Individuals:

1. Dr. Zobro, M.D./Tom Brown, KBIC Pharmacist - Prescription Medications

A discussion was held regarding the drug free workplace policy and listing drugs under Schedules and stating what must be reported by the employees. Medical marijuana was discussed and drug issues are being considered for changes in the Criminal Code.

The Council requested Jim Nardi to return at a later date to explain the process of the Medical Review Officer regarding drug testing.

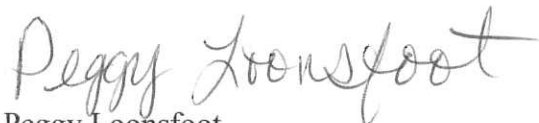
Case #008-16 Appeal of Dismissal Hearing

MOTION MADE BY JENNIFER MISEGAN TO DISMISS THE GOVERNMENT EMPLOYEE APPEAL OF DISMISSAL CASE #008-16 PER THE EMPLOYEE'S REQUEST. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 3:50 P.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

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THURSDAY – JANUARY 19, 2017 – 9:00 A.M.

A. Date: January 19, 2017

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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: January 19, 2017

G. For Your Information:

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2. Resignation of Patrick A. Miles, Jr., United States Attorney for the Western District of Michigan effective January 20, 2017
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4. Susan J. LaFernier, Secretary/Duane Misegan – Drug Task Force

H. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor – Resolution KB-003-2017 Litigation Support Application
2. Jason Ayres, Real Estate Officer –
 - a) Resolution KB-001-2017 Mukkala Trust Property Acquisition
 - b) Resolution KB-002-2017 Marquette County Land Bank Property Acquisition

3. Don Wren, Ojibwa Casinos General Manager – Casino Proposals
4. Jennifer Misegan, Vice President – Superior National Bank & Trust Company
 - a) Corporate Resolution KB-004-2017 Board of Directors Authority
 - b) Letter of Direction related to Francis LaPointe, CFO
5. Gary Loonsfoot, Jr. –
 - a) Donation Request from Adam Dakota for Benefit Dinner Supplies
 - b) Future Use of Bingo Hall Building
6. Larry Denomie III, CEO – Weekly Update

I. Closed Session:

1. Michelle Hoggard – Personnel Issue – **10:30 a.m.**
2. Assistant Tribal Attorney Interview/Kevin Carlisle – **1:00 p.m. (via Teleconference)**

J. Recognize Scheduled Delegation/Individuals:

1. Dr. Zobro, M.D./Tom Brown, KBIC Pharmacist - Prescription Medications – **2:00 p.m.**

K. Adjournment: