

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
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – JANUARY 26, 2017 – 9:00 A.M.

APPROVED
2-21-17

- A. Date: January 26, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:02 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 (left 9:19 – 9:30 a.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (arrived at 9:20 a.m.)
Fred Dakota (left at 10:52 a.m.)
Randall R. Haataja (arrived at 9:06 a.m.)
Michael F. LaFernier, Sr.
Rodney Loonsfoot
Elizabeth D. Mayo
- Absent: Gary F. Loonsfoot, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: January 26, 2017
- Additions: New Business- 3. President Swartz – c) Donation Request
5. Rodney Loonsfoot – Donation Request for Funeral Expenses
- Closed Session- 1. Doreen Blaker, Treasurer
2. Rodney Loonsfoot – Tribal Council Stipend

Randall Haataja arrived at 9:06 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Randall R. Haataja), TWO ABSENT (Robert R.D. Curtis, Jr., Gary F. Loonsfoot, Jr.), MOTION CARRIED.

G. For Your Information:

1. Council Poll January 23, 2017 regarding the Assistant Tribal Attorney Position Counter Offer (7 For/3 Abstaining)
2. Indian Country Media Network Article regarding potential Republican Native American appointees who would create and carry out the next Federal Indian Country agenda are making themselves known to the Trump Administration
3. A letter from Lawrence Roberts, Principal Deputy Assistant Secretary – Indian Affairs reflecting on the Nation-to-Nation relationship with Tribes for the past four years
4. A request from the BIA Midwest Regional Office asking if we want to proceed then need Michelle R. Corbin, Acting Regional Director, to resubmit KBIC's request for a Secretarial Election (Resolution KB-042-2015 adding Article IX – Judicial Branch to the Constitution) The Council said we do want to proceed and to resubmit with a letter to them.
5. President Swartz stated that there will be information regarding the General Welfare Act tax filing next week

H. New Business:

1. Roberto Escobar, Assistant Tribal Attorney –

Jennifer Misegan left at 9:19 a.m.

- a) Micah Petoskey, IT Site Manager – Greenway Health, LLC Purchase Agreement – Digital Dental Sensors for Dental Clinic \$14,561.42

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PURCHASE AGREEMENT WITH GREENWAY HEALTH, LLC FOR THE DIGITAL DENTAL SENSORS. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Gary F. Loonsfoot, Jr.), MOTION CARRIED.

Robert R.D. Curtis, Jr. arrived at 9:20 a.m.

- b) Ojibwa Casino I and Ojibwa Casino II License to Purchase and Sell Tobacco Products January 21, 2017 – January 20, 2018
- c) Rez Stop License to Purchase and Sell Tobacco Products January 21, 2017 – January 20, 2018

MOTION MADE BY TONI J. MINTON TO APPROVE THE LICENSES FOR OJIBWA CASINO I, OJIBWA CASINO II, AND THE REZ STOP FOR THE PURCHASE AND SALE OF TOBACCO PRODUCTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ONE ABSTAINING (Robert R.D. Curtis, Jr.), TWO ABSENT (Jennifer Misegan, Gary F. Loonsfoot, Jr.), MOTION CARRIED.

Jennifer Misegan returned at 9:30 a.m.

I. Recognize Scheduled Delegation/Individuals:

1. John Estes, WEC Energy Group/Michael J. Foley, Project Manager Coleman Engineering Company/Kevin Trevillian, Coleman Engineering Company – Update on the replacement of the existing Presque Isle Power Plant, which supplies the Upper Peninsula of Michigan, with a cleaner natural gas solution using Reciprocating Internal Combustion Engines (RICE).

Break: 9:39 – 9:51 a.m.

[New Business]

2. Doreen G. Blaker, Treasurer – Leave Sharing Policy specific to the Family Medical Leave Act (FMLA)

Doreen would like to lower the eligibility requirements needed to qualify for the FMLA. The policy states that an employee has to have been employed for 12 months and have worked for at least 1,250 hours. The Council would like to review the entire policy, starting with the Sick Leave Sections 11.0 and 12.0 Request for Leave.

3. President Swartz –
 - a) Election Board (2) seats – Three-year terms (4) applicants terms end January 2020

MOTION MADE BY JENNIFER MISEGAN TO APPOINT SUSAN LAWRENCE AND DAWN KEMPPAINEN TO THE ELECTION BOARD. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

- b) Gaming Commissioner (1) seat (1) Applicant term ends June 2018

MOTION MADE BY TONI J. MINTON TO APPOINT MICHAEL DUSCHENE TO THE GAMING COMMISSION TO FILL THE REMAINING TERM PERVIOUSLY HELD BY ELIZABETH D. MAYO. SUPPORTED BY RODNEY LOONSFOOT. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

- c) Donation Request from Alden Connor for “Softball in the Dome” Tournament Registration in Memory of Mick Campbell Benefiting Special Olympics (10) team members February 9-12, 2017 (Sponsored by Keweenaw Bay Indian Community)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE A SPONSORSHIP REQUEST FROM ALDEN CONNOR IN THE AMOUNT OF \$600.00 TO SPONSOR A SOFTBALL TEAM FOR THE TOURNAMENT HELD IN THE NMU SUPERIOR DOME. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr.), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

4. Rodney Loonsfoot – Donation Request for Funeral Expenses for Beth Koski’s son, Trevor Giddings, a descendant (no handout) \$5,371.00

The Tribe funds Tribal Members’ funeral expenses up to \$5,000 through a life insurance benefit. Currently there is no coverage for descendants. Rodney would like to meet with the Burial Task Force regarding the issue of burial costs and return to the Council at a later date.

5. Larry Denomie III, CEO – Weekly Update

Larry reported on the wage survey issue and everyone has met the minimum wage level. Major updates have been done to the Oasis system in the casinos. There was a problem in Marquette with points earned for the second tier players in 2014 where the players were receiving an increase in point value. It is being investigated and corrected by the General Manager. Meetings have continued regarding the Tobacco manufacturing.

J. Closed Session:

1. Doreen Blaker, Treasurer
2. Rodney Loonsfoot – Tribal Council Stipend

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:34 A.M. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

Fred Dakota left at 10:52 a.m.

MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 10:53 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.

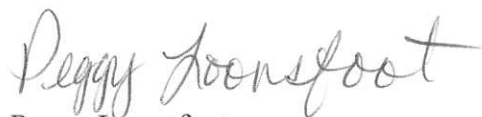
Housing Department Admissions and Occupancy Policy –

MOTION MADE BY JENNIFER MISEGAN TO AMEND THE ADMISSIONS AND OCCUPANCY POLICY FOR THE HOUSING DEPARTMENT TO INCLUDE SECOND DEGREE RELATIONSHIPS AND THOSE RELATIONSHIPS WOULD INCLUDE FIRST COUSINS, AUNTS, UNCLES, NIECES, AND NEPHEWS. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO ADJOURN AT 10:55 A.M. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
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OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – JANUARY 26, 2017 – 9:00 A.M.

A. Date: January 26, 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: January 26, 2017

G. For Your Information:

1. Council Poll January 23, 2017 regarding the Assistant Tribal Attorney Position Counter Offer (7 For/3 Abstaining)
2. Indian Country Media Network Article regarding Open Positions in the Interior
3. A letter from Lawrence Roberts, Principal Deputy Assistant Secretary – Indian Affairs reflecting on the Nation-to-Nation relationship with Tribes
4. A request from the BIA Midwest Regional Office to resubmit KBIC's request for a Secretarial Election (Resolution KB-042-2015 adding Article IX – Judicial Branch to the Constitution)

H. Recognize Scheduled Delegation/Individuals:

1. Michael J. Foley, Project Manager, Coleman Engineering Company, WE Energies Project Update – **9:30 a.m.**

I. New Business:

1. Roberto Escobar, Assistant Tribal Attorney –
 - a) Micah Petoskey, IT Site Manager – Greenway Health, LLC Purchase Agreement – Digital Dental Sensors for Dental Clinic
 - b) Ojibwa Casino I and Ojibwa Casino II License to Purchase and Sell Tobacco Products
 - c) Rez Stop License to Purchase and Sell Tobacco Products
2. Doreen G. Blaker, Treasurer – Leave Sharing Policy specific to the Family Medical Leave Act (FMLA)
3. President Swartz –
 - a) Election Board (2) seats – Three-year terms (4) applicants
 - b) Gaming Commissioner Applicant (1)
4. Larry Denomie III, CEO – Weekly Update

J. Adjournment: