

# 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 – MAY 11, 2017 – 9:00 A.M.**

**APPROVED**  
5-18-17

- A. Date: May 11, 2017
- B. Call to Order: Vice President Misegan called the meeting to order at 9:03 a.m.
- C. Invocation: Prayer by Jennifer Misegan, Vice President
- D. Roll Call: Present: Jennifer Misegan, Vice President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary (left at 12:03 p.m.)  
Doreen G. Blaker, Treasurer  
Fred Dakota (left at 11:07 a.m.)  
Randall R. Haataja (arrived at 9:06 a.m.)  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot  
Elizabeth D. Mayo
- Absent: Warren C. Swartz, Jr., President  
Robert R.D. Curtis, Jr.
- E. Declaration of Quorum: Vice President Misegan declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 11, 2017
- |            |                            |  |
|------------|----------------------------|--|
| Additions: | FYI-                       | 3. Class of 2017 Head Start Graduation Celebration   |
|            | Closed Session-            | 3. Larry Denomie III, CEO – b) Casino Projects Update  |
| Deletion:  | Old Business-              | 1. Larry Denomie III, CEO – a) Travel Policy/Procedure   |
| Move:      | Old Business 2. to Closed- | 1. Jennifer Misegan, Vice President/Tyler Larson, Director of Social Services – b) i. Mandatory Reporters<br>b) ii. Emergent Foster Care Fund Policy |
|            | New Business 1. to Closed- | 1. Tyler Larson, Director of Social Services – c) Budget Modification Request for an additional Employee   |

**Randall Haataja arrived at 9:06 a.m.**

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

G. For Your Information:

1. Retirement Announcement from John Preston, Sales Manager at Eagle Radio on May 19, 2017
2. Press Release announcing the use of In Car and Body Worn Cameras for the Tribal Police Officers
3. Class of 2017 Head Start Graduation Celebration on May 12, 2017 at the Zeba Community Center 11:00 a.m. – 1:00 p.m.

H. Closed Session:

1. Tyler Larson, Director of Social Services/Child Welfare Committee (4) -
  - a) ICWA Committee – Updates
  - b) Jennifer Misegan, Vice President –
    - i. Mandatory Reporters
    - ii. Emergent Foster Care Fund Policy
  - c) Budget Modification Request for an additional Employee
2. Gary Duvall, Dorsey & Whitney Law Firm/Larry Denomie III, CEO/Danielle Webb, Tribal Attorney/Don Wren, Ojibwa Casinos General Manager – Choice Hotels Franchise Agreement (conference call)
3. Larry Denomie III, CEO/Don Wren, Ojibwa Casinos General Manager –
  - a) Organizational Structure (Thursday meeting)
  - b) Casino Projects Update
4. Carole LaPointe, Health Administrator/Hannah Beesley, Personnel Director – Dental Hygienist (Wage Analysis) Market Study
5. Doreen Blaker, Housing Department Director – Housing Related Issues

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 9:09 A.M. SUPPORTED BY GARY F. LOONSFOOT, JR. 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, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Robert R.D. Curtis, Jr.), MOTION CARRIED.**

**Break: 10:29 – 10:39 a.m.**

**Fred Dakota left at 11:07 a.m.**

**Lunch: 12:03 – 1:03 p.m. (Toni Minton left)**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 1:59 P.M. SUPPORTED BY RANDALL R. HAATAJA. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

**Break: 2:00 – 2:10 p.m.**

Emergent Foster Care Fund Policy to unlicensed caregivers for children typically in a relative placement

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE EMERGENT FOSTER CARE FUND POLICY. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

Social Services Department Budget Modification Request for an additional Employee (Social Services Specialist)

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SOCIAL SERVICES SPECIALIST JOB DESCRIPTION, POST THE POSITION, AND AMEND THE BUDGET. SUPPORTED BY GARY F. LOONSFOOT, JR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

Dental Hygienist (Wage Analysis) Market Study

**MOTION MADE BY ELIZABETH D. MAYO TO CHANGE THE DENTAL HYGIENIST WAGE TO A GRADE 10, THE SAME GRADE AS THE NURSES. SUPPORTED BY RANDALL R. HAATAJA.**

**MOTION MADE BY RODNEY LOONSFOOT TO AMEND THE GRADE TO A 12 AS PRESENTED.**

The motion died for lack of support.

**MOTION MADE BY ELIZABETH D. MAYO TO CHANGE THE DENTAL HYGIENIST WAGE TO A GRADE 10, THE SAME GRADE AS THE NURSES. SUPPORTED BY RANDALL R. HAATAJA. SIX IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ONE OPPOSED (Rodney Loonsfoot), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

Rodney Loonsfoot stated his opposition: He believes it should go to a grade 12 at \$22.00 factoring in her experience and also in light of what's going on, all of those other professional positions within the clinic should have been altered the same way across in line with the wage analysis.

Jennifer Misegan stated: There was an analysis done last year on the nurses and we've already decided at this time we don't have the funds available to do a wage analysis tribal-wide and when you do an analysis you can't do it based on the individual person and their particular experience, you would have to change the job description which would be entirely different.

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

- a) Doug Smith – Lucky 7's Restaurant Food Service and Restaurant Business License Renewal (John Gervais owner) May 14, 2017 – May 13, 2018

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE FOOD SERVICE AND RESTAURANT BUSINESS LICENSE RENEWAL FOR THE LUCKY 7'S RESTAURANT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

- b) Crystal Geroux – TD Safe Haven Horse Rescue and Therapy Business License Renewal May 14, 2017 – May 13, 2018

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BUSINESS LICENSE RENEWAL FOR TD SAFE HAVEN HORSE RESCUE AND THERAPY. SUPPORTED BY GARY F. LOONSFOOT, JR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

- c) Martin Curtis, New Day Counselor/Manager – L'Anse Furniture Mart Tier III Services Agreement for the Carpet and Tile Replacement at the New Day Substance Abuse Services Facility (Resident's area) May 12, 2017 – June 30, 2017 \$12,629.00

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE TIER III SERVICES AGREEMENT WITH THE L'ANSE FURNITURE MART FOR THE CARPET AND TILE REPLACEMENT AT THE NEW DAY SUBSTANCE ABUSE SERVICES FACILITY. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**



2. Jason Ayres, Real Estate Officer –

- a) Resolution KB-020-2017 Cancels Lease No. 475-23-00034-09 and KB-1678-2009 to Suzanne L. Buttery-Jondreau on Lindemann Road in Baraga and grants a Residential Lease of the same property containing .77 acres to Alisha L. Swartz

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-020-2017 ALISHA L. SWARTZ RESIDENTIAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

- b) Resolution KB-021-2017 Cancels Lease No. B-738 (73) to Clyde B. Swartz (Deceased) and Barbara J. Swartz and KB-1869-2011 to Barbara J. Swartz, her four adult children, and her adult grandson, Damian C. Swartz on N. Main Street in Baraga and grants a Residential Lease of the same property containing .57 acres to Damian C. Swartz.

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE RESOLUTION KB-021-2017 DAMIAN C. SWARTZ RESIDENTIAL LEASE. SUPPORTED BY DOREEN G. BLAKER. SIX IN FAVOR (Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFernier), FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

- c) Resolution KB-022-2017 ICDBG Public Facilities Project \$800,000.00 (\$600,000.00 from HUD and \$200,000.00 in-kind match) for a solar power project for the Natural Resources Department

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-022-2017 ICDBG SOLAR ENERGY SOLUTIONS PROJECT. SUPPORTED BY GARY F. LOONSFOOT, JR. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

- d) Resolution KB-023-2017 Modifies Lease K-174 (97) and KB-600-97 to Leonard W. Cardinal (Deceased) and Julia A. Cardinal on 503 and 503A Lyons Street in Baraga and grants a split Residential Lease containing .52 acres on 503A Lyons Street in Baraga to Lynelle S. Bolo.

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-023-2017 LYNELLE S. BOLO RESIDENTIAL LEASE. 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., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

3. Rodney Loonsfoot – Veterans Memorial Site Location Request

Jason Ayres, George Decota, and Virgil Loonsfoot present. Discussions were held and various sites were looked at and the decision was across from the LaCourt Bottled Gas Company next to the water treatment plant in Baraga.

The Council consensus was to move forward with this location and bring back their plan and to include the names of Tribal Veterans from the Baraga and Evergreen cemeteries with the Pinery and Assinins Cemeteries.

4. Lori Sherman, Natural Resources Director - KBIC/NRD Name Selection for 15th Annual Kids Fishing Derby

Lori would like to give a special recognition in memory of Gary Hueckstaedt who was a long-time volunteer with the event in the past.

The Council consensus was to name the 15<sup>th</sup> Annual Kids Fishing Derby in honor of Richard Semaski.

5. Larry Denomie III, CEO – Weekly Update [Discussed in Closed Session]

J. Old Business:

1. Larry Denomie III, CEO – 11.0 Sick Leave/12.0 Request for Leave/12.2 Leave Sharing

The Council discussion was regarding the amount of Sick Leave time that can be donated. The proposed policy states hours over 720. Gary Loonsfoot, Jr. suggested lowering the hours to 500. Susan LaFernier suggested lowering it to 480 hours. Elizabeth Mayo believes if the hours are lowered then the Sick Leave Incentive Policy (11.3) hours need to change to the same.

Saturday's motion (5/06/17 tabled):

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE 11.0 SICK LEAVE/12.0 REQUEST FOR LEAVE/12.2 LEAVE SHARING POLICIES AS PRESENTED. SUPPORTED BY JENNIFER MISEGAN. TWO IN FAVOR (Randall R. Haataja, Elizabeth D. Mayo), FIVE OPPOSED (Susan J. LaFernier, Doreen G. Blaker, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION DEFEATED.**

**MOTION MADE BY ELIZABETH D. MAYO TO CHANGE THE SICK LEAVE INCENTIVE POLICY OPTION TO 480 HOURS.**

The motion died for lack of support.

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE AMENDED 11.0 SICK LEAVE/12.0 REQUEST FOR LEAVE/12.2 LEAVE SHARING POLICIES BUT TO ALLOW THE EMPLOYEES TO DONATE THEIR ACCRUED SICK LEAVE TIME IN EXCESS OF 480 HOURS. SUPPORTED BY GARY F. LOONSFOOT, JR. FIVE IN FAVOR (Susan J. LaFERNIER, Doreen G. Blaker, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), TWO OPPOSED (Randall R. Haataja, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:58 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**THURSDAY – MAY 11, 2017 – 9:00 A.M.**

A. Date: May 11, 2017

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

- Warren C. Swartz, Jr., President
- Jennifer Misegan, Vice President
- Susan J. LaFerner, Secretary
- Toni J. Minton, Assistant Secretary
- Doreen G. Blaker, Treasurer
- Robert R.D. Curtis, Jr.
- Fred Dakota
- Randall R. Haataja
- Michael F. LaFerner, Sr.
- Gary F. Loonsfoot, Jr.
- Rodney Loonsfoot
- Elizabeth D. Mayo

E. Declaration of Quorum:

F. Approval of Agenda: May 11, 2017

G. For Your Information:

1. Retirement Announcement from John Preston, Sales Manager at Eagle Radio
2. Press Release announcing the use of In Car and Body Worn Cameras for the Tribal Police Officers

H. Old Business:

1. Larry Denomie III, CEO –
  - a) Travel Policy/Procedure
  - b) 11.0 Sick Leave/12.0 Request for Leave/12.2 Leave Sharing
2. Jennifer Misegan, Vice President/Tyler Larson, Director of Social Services –
  - a) Mandatory Reporters
  - b) Emergent Foster Care Fund Policy



I. New Business:

1. Tyler Larson, Director of Social Services – Budget Modification Request for an additional Employee
2. Bobby Escobar, Assistant Tribal Attorney –
  - a) Doug Smith – Lucky 7's Restaurant Food Service and Restaurant Business License Renewal (John Gervais owner)
  - b) Crystal Geroux – TD Safe Haven Horse Rescue and Therapy Business License Renewal
  - c) Martin Curtis, New Day Counselor/Manager – L'Anse Furniture Mart Tier III Services Agreement for the Carpet and Tile Replacement at the New Day Substance Abuse Services Facility
3. Jason Ayres, Real Estate Officer –
  - a) Resolution KB-020-2017 Alisha L. Swartz Residential Lease
  - b) Resolution KB-021-2017 Damian C. Swartz Residential Lease
  - c) Resolution KB-022-2017 ICDBG Solar Energy Solutions Project
  - d) Resolution KB-023-2017 Lynelle S. Bolo Residential Lease
4. Lori Sherman, Natural Resources Director - KBIC/NRD Name Selection for 14th Annual Kids Fishing Derby
5. Rodney Loonsfoot – Veterans Memorial Site Location Request
6. Larry Denomie III, CEO – Weekly Update

J. Closed Session:

1. Tyler Larson, Director of Social Services/ICWA Committee – Updates – **9:00 a.m.**
2. Gary Duvall, Dorsey & Whitney Law Firm – Choice Hotels Franchise Agreement - **10:30 a.m. – Noon** (conference call)
3. Larry Denomie III, CEO/Don Wren, Ojibwa Casinos General Manager – Organizational Structure
4. Carole LaPointe, Health Administrator/Hannah Beesley, Personnel Director – Dental Hygienist Wage Analysis
5. Doreen Blaker, Housing Department Director – Housing Related Issue

K. Adjournment: