

# KEWEENAW BAY INDIAN COMMUNITY

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

## 2018 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 – MARCH 29, 2018 – 9:00 A.M.**

**APPROVED**

**MAY 17 2018**

**KBIC PRESIDENT'S OFFICE**

**SIGNATURE:** pl

- A. Date: March 29, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:05 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Jennifer Misegan, Vice President  
Susan J. LaFernier, Secretary  
Doreen G. Blaker, Treasurer (left at 11:15 a.m.)  
Robert R.D. Curtis, Jr.  
Fred Dakota (left at 10:55 a.m.)  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot  
Elizabeth D. Mayo
- Absent: Toni J. Minton, Assistant Secretary
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 29, 2018
- Move: Old Business 3. Larry Denomie III, CEO – c) SNB Priority List to Closed Session 2. a)
- Additions: FYI- 2. Wind Turbines  
Closed Session- 2. Larry Denomie III, CEO –  
b) Health Administrator Wage Negotiation  
c) Casino Projects GMP Proposal Update
- Change: New Business 5. Rodney Loonsfoot – Donation Request for a Powwow at GVSU

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

G. For Your Information:

1. An invite for a lunch reception honoring U.S. Senator Debbie Stabenow April 3, 2018 in Marquette, MI
2. Wind Turbines

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE A HOST LEVEL CONTRIBUTION OF \$500.00 TO THE STABENOW FOR U.S. SENATE FUNDRAISING CAMPAIGN AND ALLOW GARY LOONSFOOT, JR. TO ATTEND THE RECEPTION ON BEHALF OF THE COUNCIL. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Jr.), ONE ABSENT (Toni J. Minton), MOTION CARRIED.**

H. Old Business:

1. Doreen Blaker, Housing Director –
  - a) KBIC Housing Department Admission and Occupancy Policy

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE KBIC HOUSING DEPARTMENT ADMISSION AND OCCUPANCY POLICY WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.**

- b) KBIC Housing Department Operations Policy [Review at the next meeting]
2. Larry Denomie III, CEO –
  - a) Job Description for Director of Fire and Emergency Management Posting [Move to Closed Session] One person applied and declined because of the salary. More will be discussed in Closed.
  - b) Drug-Free Workplace Policy Random Testing List [Review]

3. Jennifer Misegan, Vice President –

- a) 2<sup>nd</sup> Reading Proposed Ordinance 2018-02 Title Four Juvenile Division of the Tribal Code Amendment to add 4.614 Permanency Hearing to comply with Title IV-E of the Social Security Act related to the use of “another planned permanent living arrangement” as a permanency plan for children in foster care.

[See Legislative File]

President Swartz read the Legislative Process and Public Hearing Procedures and opened for written and verbal comments.

Council Members Present:

Warren C. Swartz, Jr.  
Jennifer Misegan  
Susan J. LaFornier  
Doreen G. Blaker  
Robert R.D. Curtis, Jr.  
Fred Dakota  
Randall R. Haataja  
Michael F. LaFornier, Sr.  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot  
Elizabeth D. Mayo

Also in attendance:

Danielle Webb  
Bobby Escobar  
Tyler Larson  
Duane Misegan  
Larry Denomie III  
Holley Makela  
Lori Sherman  
Peggy Loonsfoot  
James Orr  
Brandon Chosa  
Joe Kirkish

No written comments were received.

Verbal comments were received by the following:

Jennifer Misegan gave a verbal comment to state the addition of Substitute #1 H. “Special Considerations (see last 2 pages).

Danielle Webb gave a verbal comment related to the hierarchy of placement for a child when a determination is needed for a permanency plan.

Tyler Larson gave a verbal comment stating the requirements of living space for foster children.

Gary Loonsfoot, Jr. gave a verbal comment asking Social Services to consider when sending kids to group homes that they are comparable to prisons and the same things happen in them.

President Swartz concluded the 2nd Reading at 9:59 a.m.

- b) 3<sup>rd</sup> Reading Proposed Ordinance 2018-02 Title Four Juvenile Division of the Tribal Code Amendment to add 4.614 Permanency Hearing

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE PROPOSED ORDINANCE 2018-02 TITLE FOUR JUVENILE DIVISION AMENDMENT TO ADD 4.614 PERMANENCY HEARING. SUPPORTED BY JENNIFER MISEGAN.

Danielle Webb stated a typographical error, Title VI should read Title IV, on page one in the first paragraph.

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE SUBSTITUTE #1 FOR ORDINANCE 2018-02 AMENDING TITLE FOUR ADDING 4.614 AND ADDING H. SPECIAL CONSIDERATIONS AND CORRECTING THE TYPOGRAPHICAL ERROR. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Toni J. Minton), MOTION CARRIED.**

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE PROPOSED ORDINANCE 2018-02 TITLE FOUR JUVENILE DIVISION AMENDMENT TO ADD 4.614 PERMANENCY HEARING. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, 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 (Toni J. Minton), MOTION CARRIED.**

**Break: 10:04 – 10:20 a.m.**

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

- a) Duane Misegan, Chief of Police - Memorandum of Understanding with Lac Vieux Desert Band of Lake Superior Chippewa Indians for the use of the K-9 Unit Team for Narcotics Detection and Prevention (five year term) to address the drug abuse crisis in both communities

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH LAC VIEUX DESERT FOR THE USE OF THE K-9 UNIT TEAM. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Randall R. Haataja, Rodney Loonsfoot), ONE ABSENT (Toni J. Minton), MOTION CARRIED.**



- b) Holley Makela, Child Support Services Director - Memorandum of Understanding (MOU) with the Michigan Department of Human Services Office of Child Support – Data Agreement Amendment to add IRS Publication 1075 Exhibit 7 Contract Language for General Services

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE OFFICE OF CHILD SUPPORT DATA AGREEMENT AMENDMENT. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, 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 (Toni J. Minton), MOTION CARRIED.**

- 2. Lori Sherman, Natural Resources Director –

- a) Fischer Biological Consulting LLC Services Agreement Request for hatchery improvements up to \$20,000.00 (Single Source)

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE REQUEST FOR A SERVICES AGREEMENT WITH FISCHER BIOLOGICAL CONSULTING, LLC. SUPPORTED BY RODNEY LOONSFOOT. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, 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 (Toni J. Minton), MOTION CARRIED.**

- b) White Water Associates Services Agreement Request to complete a third year of sampling in wild rice waters and develop a report (Sole Source)

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE REQUEST FOR A SERVICES AGREEMENT WITH WHITE WATER ASSOCIATES. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, 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 (Toni J. Minton), MOTION CARRIED.**

- 3. Jason Ayres, Real Estate Officer – Resolution KB-010-2018 Ojibwa Recreation Area Improvements Phase Three (3) Application - Multicultural Intermediary for Collaborative Action (MICA Group) regarding the Lighthouse Repair - \$35,000.00 with \$35,940.00 in KBIC labor contributions

**Fred Dakota left at 10:55 a.m.**

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-010-2018. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, 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 (Toni J. Minton, Fred Dakota), MOTION CARRIED.**

4. James Orr, Marketing Director – Bids for (2) 2018 Chevy Equinox (3) for the “Roll into Spring in a new SUV” May 2018 Giveaway Promotion at the Baraga/Marquette Casinos

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM FREI CHEVROLET FOR THE TWO EQUINOXES AT \$24,983.00 EACH. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr.), THREE OPPOSED (Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Fred Dakota), MOTION CARRIED.**

5. Rodney Loonsfoot – Donation Request for a Powwow at Grand Valley State University  
20<sup>th</sup> Anniversary of the All Walks of Life Traditional Powwow on April 7-8, 2018

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE A WATER LEVEL SPONSORSHIP OF \$500.00 TO THE GRAND VALLEY STATE UNIVERSITY 20<sup>TH</sup> ANNIVERSARY POWWOW. SUPPORTED BY ROBERT R.D. CURTIS, JR. FOUR IN FAVOR (Doreen G. Blaker, Robert R.D. Curtis, Jr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), FIVE OPPOSED (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Fred Dakota), MOTION DEFEATED.**

6. Larry Denomie III, CEO – Weekly Update

The Health Administrator Interviews were held yesterday and went well.

**Doreen Blaker left at 11:15 a.m.**

J. Closed Session:

1. Danielle Webb, Tribal Attorney – Update
2. Larry Denomie III, CEO –
  - a) SNB-Priority List regarding the Casino Projects
  - b) Health Administrator Wage Negotiation
  - c) Casino Projects GMP Proposal Update
  - d) Director of Fire and Emergency Management Position

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:15 A.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:18 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.**

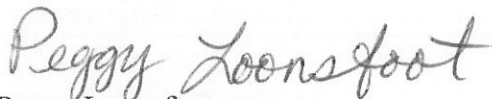
Health Administrator Wage Negotiation

**MOTION MADE BY JENNIFER MISEGAN TO GO ALONG WITH THE SELECTION COMMITTEE'S RECOMMENDATION FOR THE HEALTH ADMINISTRATOR AND TO NEGOTIATE A WAGE UP TO \$100,000.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Jr.), THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 12:20 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**THURSDAY – MARCH 29, 2018 – 9:00 A.M.**

A. Date: March 29, 2018

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: March 29, 2018

G. For Your Information:

1. An invite for a lunch reception honoring U.S. Senator Debbie Stabenow

H. Old Business:

1. Doreen Blaker, Housing Director –
  - a) KBIC Housing Department Admission and Occupancy Policy
  - b) KBIC Housing Department Maintenance Policy
2. Jennifer Misegan, Vice President –
  - a) 2<sup>nd</sup> Reading Proposed Ordinance 2018-02 Title Four Juvenile Division Amendment to add 4.614 Permanency Hearing – **9:30 a.m.**
  - b) 3<sup>rd</sup> Reading Proposed Ordinance 2018-02 Title Four Juvenile Division Amendment to add 4.614 Permanency Hearing
3. Larry Denomie III, CEO –
  - a) Job Description Amendment for Director of Fire and Emergency Management Position



- b) Drug-Free Workplace Policy Random Testing List
- c) SNB Priority List

I. New Business:

- 1. Bobby Escobar, Assistant Tribal Attorney –
  - a) Duane Misegan, Chief of Police - Memorandum of Understanding with Lac Vieux Desert Band of Lake Superior Chippewa Indians for the use of the K-9 Unit Team for Narcotics Detection and Prevention
  - b) Holley Makela, Child Support Services Director - Memorandum of Understanding (MOU) with the Office of Child Support – Data Agreement Amendment
- 2. Lori Sherman, Natural Resources Director –
  - a) Fischer Biological Consulting LLC Services Agreement Request (Single Source)
  - b) White Water Associates Services Agreement Request (Sole Source)
- 3. Jason Ayres, Real Estate Officer – Resolution KB-010-2018 Phase Three (3) Application - Multicultural Intermediary for Collaborative Action (MICA Group) regarding the Lighthouse Repair
- 4. James Orr, Marketing Director – Bids (3) for the May 2018 SUV Giveaway Promotion
- 5. Doreen Blaker, Treasurer – Donation Request for a Powwow at Grand Valley State University
- 6. Larry Denomie III, CEO – Weekly Update

J. Closed Session:

- 1. Danielle Webb, Tribal Attorney – Update

K. Adjournment: