

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 – JULY 19, 2018 – 9:00 A.M.

APPROVED

NOV 15 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

- A. Date: July 19, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:09 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
Robert R.D. Curtis, Jr.
Fred Dakota (left at 10:00 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Elizabeth D. Mayo

Absent: Toni J. Minton, Assistant Secretary and Recording Secretary
Rodney Loonsfoot

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 17, 2018

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA. SUPPORTED BY GARY F. LOONSFOOT, JR. 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, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Rodney Loonsfoot,), MOTION CARRIED.

G. For Your Information:

1. Updated KBIC Fire and Emergency Management Administrative Policy and Operational Procedures Manual/Job Description Lead Fire Technician (Tom Chosa, Jr.) – For Review
2. Certificate of Results of Election held on July 17, 2018 by the Secretarial Election Board: The proposed Amendment A, to add Article IX, Judicial Branch to the KBIC's Tribal Constitution was duly adopted by a vote of 101 For and 82 Against and 0 cast ballots found spoiled in an election in which at least 30 percent of the 274 registered voters cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat.984) (25 U.S.C. 5123), as amended.

H. New Business:

1. Lori A. Sherman, President KB OCC – Letter of Interest from Jill Hodges for the KB OCC Board of Regents Slate

MOTION MADE BY DOREEN G. BLAKER TO APPROVE JILL HODGES TO THE KBOCC SLATE FOR BOARD OF REGENTS. SUPPORTED BY JENNIFER MISEGAN. 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, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Rodney Loonsfoot,), MOTION CARRIED.

2. James Orr, Director of Marketing Ojibwa Casinos – Approval to proceed with the Pigskin Payday Promotion (Season II) for Ojibwa Casinos I & II September 1, 2018 – January 10, 2019 \$17,145.00 (for each casino)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SCA ENTERTAINMENT, LP CONTINGENT PRIZE CONTRACT FOR THE FOOTBALL PICK'EM PROMOTION. SUPPORTED BY DOREEN G. BLAKER. SEVEN 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.), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Rodney Loonsfoot,), MOTION CARRIED.

Break: 9:37 – 9:45 a.m.

I. Recognize Scheduled Delegation/Individuals:

1. Charlie Becker, Area Manager-Lake States Weyerhaeuser – Wind Energy Project Presentation - They were called Plum Creek prior. They are the largest private landowner in the U.S. and run 5 wind projects.
2. Ann Griger/Shawn Steiger, RES (Renewable Energy Systems) – Summit Lake Wind Project Presentation - They are proposing to construct 48 turbines on 27,000 acres of commercial forest land owned by Weyerhaeuser in eastern L'Anse Township. Phase I November 2019 - Phase II and operation November 2020

Fred Dakota left at 10:00 a.m.

Break: 10:56 – 11:17 a.m.

J. Closed Session:

1. Theresa Freeman, Store Manager Ojibwa Express Convenience and Michelle Hoggard – Aanikoosing, Inc. Letter, Profit and Loss Statement, Balance Sheet (June 30, 2018)
2. Danielle Webb, Tribal Attorney – Update
3. Susan J. LaFernier – Personnel Issue

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:20 A.M. CO-SUPPORTED BY RANDALL R. HAATAJA AND GARY F. LOONSFOOT, JR. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot,), MOTION CARRIED.

Lunch: 12:00 - 1:04 p.m.

Robert R.D. Curtis, Jr. returned from lunch at 1:13 p.m.

Robert R.D. Curtis, Jr. left 1:27 – 1:50 p.m. (per Attorney request)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 1:59 P.M. SUPPORTED BY RANDALL R. HAATAJA. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot,), MOTION CARRIED.

[New Business]

3. Danielle Webb, Tribal Attorney –
 - a) Jason Ayres (not present) – Tier III Services Agreement with Arbre Croche Cultural Resources (Phase I Archaeological Survey 20 acres Water and Sewer Line in Marquette Chocolay Township for the Casino project) to end on August 10, 2018 \$18,810.40

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE TIER III SERVICES AGREEMENT WITH ARBRE CROCHE CULTURAL RESOURCES. SUPPORTED BY DOREEN G. BLAKER. 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, ONE ABSTAINING (Robert R.D. Curtis, Jr.), THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

- b) Gary Loonsfoot, Jr. – (Anishnaabemowin) Language Instructor (3) year Employment Agreement with George H. Kimewon (increase from \$25.00 to \$30.00/hour)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE LANGUAGE INSTRUCTOR EMPLOYMENT AGREEMENT. SUPPORTED BY DOREEN G. BLAKER. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot,), MOTION CARRIED.

4. Don Messer, Jr. – Press Box HVAC Unit Bids (3) to replace the roof top unit

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM RC MECHANICAL, INC. IN THE AMOUNT OF \$12,894.30. SUPPORTED BY DOREEN G. BLAKER. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot,), MOTION CARRIED.

5. Doreen Blaker, Director KBIC Housing Department – (3) Window Bids for Projects 65-2 and 65-3

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM ABC SUPPLY COMPANY INC. IN THE AMOUNT OF \$84,048.44. SUPPORTED BY GARY F. LOONSFOOT, JR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot,), MOTION CARRIED.

6. Larry Denomie III, CEO –
a) Bid/Invoice – DSA Housing (Marina Caretaker Replacement Trailer Home) 2017 Mansion Singlewide

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$31,800.00 FOR THE MARINA CARETAKER REPLACEMENT TRAILER HOME AS LONG AS IT IS CERTIFIED FOR THE NORTHERN CLIMATE AND \$1,650.00 FOR THE PREP WORK AND TO ADJUST MARK MISEGAN'S WAGE TO DO THE INSTALLATION. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

- b) Weekly Update

Lisa Denomie rescinded her resignation from the Pre-Primary Program. Cherie Dakota has accepted Interim Social Services Director. Larry met with Pam Hueller from VAST to discuss the BC/BS

renewal with a 3.5% rate decrease. A Casino Project meeting was held this week with Gundlach Champion. There is much activity in Marquette with three houses that have been moved, a fourth is to be moved, and a fifth is waiting for the tenant to move. The Keweenaw Trail Road will be a one-way for safety purposes for a while and the residents will be notified. The Picnic Task Force met yesterday and the Employee Picnic is scheduled for August 24th. A section of the beach is closed by Assinins per Evelyn Ravindran. KBIC has already bought steel and cement for the casino projects.

K. Old Business: [Reschedule]

1. Larry Denomie III, CEO – 19.2 Grievance Procedure Amendment (new) – F. (Monetary) Settlement of Grievances

Reinstated Employee Approval for Back Wages – (per Julie Raby, Payroll Supervisor, the date is June 24, 2018)

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE BACK WAGES FOR A TERMINATED EMPLOYEE FOR THE TIME PERIOD OF JUNE 6, 2018 TO JUNE 24, 2018 AND TO DEVELOP A POLICY. SUPPORTED BY RANDALL R. HAATAJA. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

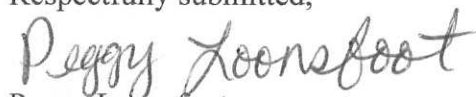
KBOHA CDC (Community Development Corporation) Case Settlement (Lawsuit against CDC Board Members)

MOTION MADE BY JENNIFER MISEGAN TO ACCEPT THE SETTLEMENT AGREEMENT WITH THE CASE INVOLVING THE KBOHA CDC AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Robert R.D. Curtis, Jr.), THREE ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO ADJOURN AT 2:30 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, 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 – JULY 19, 2018 – 9:00 A.M.

A. Date: July 19, 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: July 17, 2018

G. For Your Information:

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H. Recognize Scheduled Delegation/Individuals: **9:30 a.m.**

1. Charlie Becker, Area Manager-Lake States Weyerhaeuser – Wind Energy Project Presentation
2. RES – Summit Lake Wind Project Presentation

I. NEW BUSINESS:

1. Lori A. Sherman, President KB OCC – Letter of Interest from Jill Hodges for the KB OCC Board of Regents Slate
2. James Orr, Director of Marketing Ojibwa Casinos – Approval to proceed with the Pigskin Payday Promotion (Season II)
3. Danielle Webb, Tribal Attorney – a) Jason Ayres – Tier III Services Agreement with Arbre Croche Cultural Resources (Phase I Archaeological Survey)

b) Gary Loonsfoot, Jr. – Language Instructor Employment Agreement with George H. Kimewon
4. Don Messer, Jr. – Press Box HVAC Unit Bids
5. Doreen Blaker, Director KBIC Housing Department
a) Window Bids for Projects 2 and 3
6. Larry Denomie III, CEO – a) Bid/Invoice – DSA Housing (Marina Caretaker Replacement Trailer House)
b) Weekly Update

J. OLD BUSINESS:

1. Larry Denomie III, CEO –
a) 19.2 Grievance Procedure Amendment (new) – F. Monetary Settlement of Grievances

K. CLOSED SESSION:

1. Theresa Freeman, Store Manager Ojibwa Express Convenience **11:00 a.m.** – Aanikoosing, Inc. Letter, Profit and Loss Statement, Balance Sheet (June 30, 2018)
2. Danielle Webb, Tribal Attorney – Update
3. Susan J. LaFernier – Personnel Issue

L. Adjournment: