

# 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 – DECEMBER 13, 2018 – 9:00 A.M.**

**APPROVED**

FEB 21 2019

KBIC PRESIDENT'S OFFICE  
SIGNATURE: 

- A. Date: December 13, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:13 a.m.
- C. Invocation: 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  
Doreen G. Blaker, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota (left at 10:32 a.m.)  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot  
Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 13, 2018

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA. SUPPORTED BY TONI J. MINTON. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

G. Approval of Meeting Minutes:

1. September 8, 2018

**MOTION MADE BY TONI J. MINTON TO APPROVE THE SEPTEMBER 8, 2018 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. 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, ONE ABSTAINING (Gary F. Loonsfoot, Jr.), ABSENT - 0, MOTION CARRIED.**

2. September 17, 2018

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE SEPTEMBER 17, 2018 MEETING MINUTES. CO-SUPPORTED BY TONI J. MINTON AND RANDALL R. HAATAJA. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

H. Old Business:

1. Rachel McDonald, Forester – KBIC Forest Stewardship Plan approval

The Council consensus is to consider approval after the thirty-day public comment period which ends on Monday, December 17, 2018.

I. New Business:

1. Paul Mooney, Assistant Tribal Attorney –

a) Soumit Pendharkar, Health Administrator –

i. Tonemah Consulting, Inc. - Tonemah Consulting Telehealth Services Agreement and Business Associates Agreement (1) year term

Tonemah Consulting is a 100% Native owned company which provides virtual personnel via an Internet-based, audio-visual service to healthcare institutions for the provision of behavioral health services.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TONEMAH CONSULTING TELEHEALTH SERVICES AGREEMENT AND BUSINESS ASSOCIATES AGREEMENT. SUPPORTED BY RODNEY LOONSFOOT. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

ii. Dale Schmeisser, R.D., Ph.D. Registered Dietician Services Agreement 2018 Amendment #1 Total Amount: \$19,485.00

Services Agreement 2019 for the Diabetes Program January 1, 2019 – December 31, 2019 \$17,280.00

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE 2019 REGISTERED DIETICIAN SERVICES AGREEMENT AND THE 2018 AMENDMENT WITH DALE SCHMEISSER, R.D., Ph.D. SUPPORTED BY ROBERT R.D. CURTIS, JR. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- b) Arlan Friisvall, Maintenance Director – Kirk Hammel/A+ Pest Management Services Agreement (Tier II) for KBIC Buildings

\$20,790.00 (3) year term ending September 29, 2021

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE TIER II SERVICES AGREEMENT WITH KIRK HAMMEL FOR A+ PEST MANAGEMENT. SUPPORTED BY RODNEY LOONSFOOT. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- c) Bradley T. Dakota, Chief Judge (not present) – Attorney Glenn Sarka, PLLC Services Agreement (Tier III) for Guardian Ad Litem Services and Other Services for Tribal Court January 1, 2019 – December 31, 2019

**MOTION MADE BY TONI J. MINTON TO APPROVE THE TIER III SERVICES AGREEMENT WITH ATTORNEY GLENN SARKA, PLLC FOR GUARDIAN AD LITEM SERVICES. CO-SUPPORTED BY SUSAN J. LAFERNIER AND RANDALL R. HAATAJA. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- d) Gary Loonsfoot, Jr., Director of Cultural Resources – SEMCO Energy Gas Company (Section 106) Assessment Agreement \$30,000.00 fee to KBIC regarding the construction of a 42-mile natural gas pipeline in Marquette County

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE ASSESSMENT AGREEMENT WITH SEMCO ENERGY GAS COMPANY. SUPPORTED BY TONI J. MINTON. 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., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ONE OPPOSED (Rodney Loonsfoot), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- e) BIA Grant and Cooperative Agreement #A19AP00045 for Ocean and Coastal Management Planning \$15,782.00 to address information gaps in the extent of

contaminated (stamp) sands and their impact on the aquatic resources of Keweenaw Bay

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE BIA GRANT AND COOPERATIVE AGREEMENT FOR OCEAN AND COASTAL MANAGEMENT PLANNING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- f) Board of County Road Commissioners for County of Baraga Amendment to Project Agreement
  - i. Boyer Creek on Shrine Road – work to be completed by December 31, 2019
  - ii. Secret Creek on Denomme Road – work to be completed by December 31, 2020

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AMENDMENT TO PROJECT AGREEMENTS WITH THE BARAGA COUNTY BOARD OF ROAD COMMISSIONERS EXTENDING THE WORK COMPLETION DATES FOR BOTH BOYER CREEK AND SECRET CREEK. SUPPORTED BY SUSAN J. LAFERNIER. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- g) Charles Brumleve/Millennium Services, Inc. Amendment to Services Agreement (Tier II) for services to the Natural Resources Department increasing the Fee Schedule by \$4,000.00 October 5, 2018 – March 31, 2019

**MOTION MADE BY TONI J. MINTON TO APPROVE THE AMENDMENT TO TIER II SERVICES AGREEMENT WITH CHARLES BRUMLEVE FOR MILLENNIUM SERVICES, INC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- 2. Jason Ayres, Real Estate Officer – Resolution KB-044-2018 transfers recreational lease No. KB-1294-2004 with Dorothy M. Juutilainen in Arvon Township, Baraga County, Michigan to David L. Rantanen

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-044-2018 DOROTHY M. JUUTILAINEN RECREATIONAL LEASE TRANSFER TO DAVID L. RANTANEN. SUPPORTED BY DOREEN G. BLAKER. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**



3. Doreen Blaker, Treasurer – December 2018 Donations

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE DECEMBER DONATIONS AS THE FOLLOWING: \$1,000.00 TO THE BARAGA HIGH SCHOOL CHEER SQUAD TO HELP WITH THE PURCHASE OF NEW UNIFORMS, \$500.00 EACH TO THE SALVATION ARMY IN ISHPEMING AND MARQUETTE TO HELP FAMILIES IN NEED DURING THE HOLIDAYS, \$250.00 TO ADOPTAPLATOON FOR HOLIDAY STOCKINGS FOR THE TROOPS CAMPAIGN, \$250.00 TO BRAYDEN VELMER FOR AN AD PURCHASE FOR THE U.P. ALL-STAR FOOTBALL GAME AT NMU, AND \$500.00 TO THE AMERICAN INDIAN CANCER FOUNDATION ORGANIZATION FOR THE GIVE TO THE MAX DAY 2018 EVENT. SUPPORTED BY RANDALL R. HAATAJA. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

4. Larry Denomie III/Don Wren – John Gervais Lease/Lucky 7's Renovations (3) Bids - Krajnak Construction: (up to) \$23,100.00 Approved

John Gervais, Owner of Lucky 7's, is investing \$30,000.00 towards the renovations of the restaurant facility located within the Baraga Casino Resort (upon agreement of the terms outlined in the lease)

Total Cost: \$57,346.63

John Gervais Cost: \$30,000.00

KBIC Cost: \$27,346.63

**MOTION MADE BY TONI J. MINTON TO APPROVE THE BID FROM KRAJNAK CONSTRUCTION AND THE PURCHASE OF THE CONSTRUCTION SUPPLIES FOR THE LUCKY 7'S RESTAURANT RENOVATIONS. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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., Gary F. Loonsfoot, Jr.), TWO OPPOSED (Rodney Loonsfoot, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Elizabeth Mayo stated her opposition: This was not proposed during budgets and the Council was informed during the budget process to be careful with spending.

J. Closed Session:

1. Susan LaFernier, Secretary – Personnel Request

**MOTION MADE BY GARY F. LOONSFOOT, JR. TO GO INTO CLOSED SESSION AT 10:23 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Fred Dakota left at 10:32 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 10:35 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.**

Kelsey Olson (Lead Pharmacy Tech) Personnel Request

**MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE RETROACTIVE PAYMENT TO KELSEY OLSON FROM OCTOBER 26, 2018 TO HER RETURN TO WORK DATE ON DECEMBER 10, 2018. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Jennifer Misegan, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Elizabeth D. Mayo), ONE ABSENT (Fred Dakota), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 10:36 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**THURSDAY – DECEMBER 13, 2018 – 9:00 A.M.**

A. Date: December 13, 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: December 13, 2018

G. Approval of Meeting Minutes:

1. September 8, 2018
2. September 17, 2018

H. Old Business:

1. Rachel McDonald, Forester – KBIC Forest Stewardship Plan approval

I. New Business:

1. Paul Mooney, Assistant Tribal Attorney –
  - a) Soumit Pendharkar, Health Administrator –
    - i. Tonemah Consulting, Inc. - Tonemah Consulting Telehealth Services Agreement and Business Associates Agreement
    - ii. Dale Schmeisser Registered Dietician Services Agreement 2018 Amendment #1 and Services Agreement 2019

- b) Arlan Friisvall, Maintenance Director – Kirk Hammel/A+ Pest Management Services Agreement (Tier II) for KBIC Buildings
  - c) Bradley T. Dakota, Chief Judge – Attorney Glenn Sarka, PLLC Services Agreement (Tier III) for Guardian Ad Litem Assignments for Tribal Court
  - d) Gary Loonsfoot, Jr., Director of Cultural Resources – SEMCO Energy Gas Company Assessment Agreement
  - e) BIA Grant and Cooperative Agreement for Ocean and Coastal Management Planning
  - f) Board of County Road Commissioners for County of Baraga Amendment to Project Agreement
    - i. Boyer Creek on Shrine Road
    - ii. Secret Creek on Denomme Road
  - g) Charles Brumleve/Millennium Services, Inc. Amendment to Services Agreement (Tier II)
2. Jason Ayres, Real Estate Officer – Resolution KB-044-2018 Dorothy M. Juutilainen Recreational Lease Transfer to David L. Rantanen
  3. Larry Denomie III/Don Wren – John Gervais Lease/Lucky 7's Renovations
  4. Doreen Blaker, Treasurer – December 2018 Donations

J. Closed Session:

1. Susan LaFernier, Secretary – Personnel Request

K. Adjournment: