

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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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 – JULY 20, 2017 – 9:00 A.M.

APPROVED
8-10-17

- A. Date: July 20, 2017
- 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
Toni J. Minton, Assistant Secretary (arrived at 9:36 a.m.)
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (left 10:05 – 10:18 a.m.)
Fred Dakota (arrived at 9:10 a.m., left at 10:49 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr. (left at 11:16 a.m.)
Rodney Loonsfoot (left 11:49 a.m. – 12:01 p.m.)
Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 20, 2017
- | | | |
|-----------|----------------------------------|---|
| Deletion: | Closed Session- | 4. Gundlach Champion - Guaranteed Maximum Price 2:00 p.m. |
| Addition: | Closed Session-
Old Business- | 4. Guaranteed Maximum Price Update
2. Michael LaFernier, Sr. – Pines Convenience Center
Customer Appreciation Day |

Fred Dakota arrived at 9:10 a.m.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. 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.

G. For Your Information:

1. Approved Travel Policy and Procedures/Forms for the Accounting Manual
2. Approved 9.2 Use of Vehicles for KBIC Activities for Casinos/Enterprises and Government Personnel Manuals/Appendix A

H. Approval of Meeting Minutes:

1. June 22, 2017

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JUNE 22, 2017 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, JR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

2. June 28, 2017

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE JUNE 28, 2017 MEETING MINUTES. 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.

3. July 6, 2017

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JULY 6, 2017 MEETING MINUTES. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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.

I. Old Business:

1. Larry Denomie III, CEO – Section VII Employee Conduct and Discipline (change to Corrective Action) Policy Amendment Review

Toni Minton arrived at 9:36 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO POSTPONE THE PROPOSED EMPLOYEE CONDUCT AND DISCIPLINE AMENDED POLICY UNTIL NEXT WEEK AFTER THE GOVERNMENT DEPARTMENT HEADS PROVIDE INPUT AT THEIR MEETING. 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.

2. Michael LaFERNIER, Sr. – Pines Convenience Center Customer Appreciation Day

The Council consensus was to direct the Managers to hold a customer appreciation day at the Pines, BP, Rez Stop, and Radio stations. The Health Department will be celebrating KBIC National Health Week August 14-18, 2017. This may be a good time to hold the appreciation days. It will be discussed at the Department Head meeting.

J. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

- a) Arlan Friisvall, Maintenance Director (not present) – Zeba Sewer Repair I.H.S. Project No. BE-15-J59 - The partial award is for \$129,830.50

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE VISU-SEWER, INC. BID FOR \$322,904.50 FOR THE ZEBBA SEWER REPAIR PROJECT PENDING FULL FUNDING BY THE INDIAN HEALTH SERVICE. 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.

- b) Lisa Denomie, Pre-Primary Education Director (not present) - Pre-Primary Education Program Business License Renewal (Child Care Center) August 17, 2017 – August 16, 2018

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE RENEWAL LICENSE FOR THE PRE-PRIMARY EDUCATION PROGRAM. 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.

- c) Carole LaPointe, Health Administrator - American Cancer Society Community Health Empowerment/Community Health Advocates implementing Nationwide Grants for Empowerment and Equity Program (CHANGE) Health Care System Agreement Two-year Grant Agreement for \$92,996.00 to increase colorectal cancer screenings. June 1, 2017 – May 31, 2019

Doreen Blaker left 10:05 a.m.

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE AMERICAN CANCER SOCIETY CHANGE PROGRAM HEALTH CARE SYSTEM AGREEMENT. CO-SUPPORTED BY GARY F. LOONSFOOT, JR. AND ELIZABETH D. MAYO. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, 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 (Doreen G. Blaker), MOTION CARRIED.

2. Gary Loonsfoot, Jr., Director of Cultural Resources –

- a) Amendment to the MOA among the U.S. Army Corps of Engineers, Huntington District, The Ohio State Historic Preservation Office, and the Dayton Power and Light Company, Regarding the Recovery of Archaeological Data from Archaeological Sites with the J.M. Stuart Electric Generating Station in Adams County, Ohio (related to the ancestral remains on the banks of the Ohio River)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MEMORANDUM OF AGREEMENT AMENDMENT WITH THE ARMY CORPS OF ENGINEERS. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, 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.), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

- b) Referendum Ballot Proposal Discussion related to Limiting the Secretary of Interior Review Process within the Constitution and Tribal Ordinances for a third time

The Council consensus was to move forward with a proposal. Jennifer Misegan and Susan LaFernier will work with Gary along with Violet Friisvall Ayres, Sarah Maki and the Constitution Committee.

Doreen Blaker returned at 10:18 a.m.

3. Larry Denomie III, CEO –

- a) KBIC Handicapped Accessible Van Guidelines (New) Review

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE HANDICAPPED ACCESSIBLE VAN GUIDELINES WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, 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) Weekly Update [move to Closed Session]

K. Closed Session:

1. Danielle Webb, Tribal Attorney/Lori Sherman, Natural Resources Director - Treatment as a State
2. Bobby Escobar, Assistant Tribal Attorney/Carole LaPointe, Health Administrator - Dr. Lori Vaughan Physician's Employment Agreement
3. Susan LaFerner, Secretary – Gaming Commission
4. Larry Denomie III, CEO - Guaranteed Maximum Price Update

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:48 A.M. SUPPORTED BY RANDALL R. HAATAJA. ALL IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, 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, ABSENT - 0, MOTION CARRIED.

Break: 10:49 – 10:58 a.m. (Fred Dakota left)

Gary Loonsfoot, Jr. left at 11:16 a.m.

Rodney Loonsfoot left at 11:49 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:01 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFerner, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr., Rodney Loonsfoot), MOTION CARRIED.

Rodney Loonsfoot returned at 12:02 p.m.

Dr. Lori Vaughan (Temporary) Physician's Employment Agreement May 15, 2017 – August 14, 2017. She was not able to begin working because of a family illness.

MOTION MADE BY ELIZABETH D. MAYO TO TERMINATE THE PHYSICIAN'S EMPLOYMENT AGREEMENT WITH DR. VAUGHAN EFFECTIVE TODAY AND HAVE THE LEGAL DEPARTMENT BRING A NEW CONTRACT FORWARD WHEN SHE IS AVAILABLE. CO-SUPPORTED BY ROBERT R.D. CURTIS, JR. AND RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFerner, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.

Gaming Commission Vacancy

MOTION MADE BY JENNIFER MISEGAN TO DECLARE THE GAMING COMMISSIONER POSITION OF SUZANNE BUTTERY-JONDREAU VACANT AND APPOINT DAVID RANTANEN TO COMPLETE HER TERM AND POST FOR HIS TERM THAT EXPIRED ON JUNE 30TH. SUPPORTED BY RODNEY LOONSFOOT. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), TWO ABSENT (Fred Dakota, Gary F. Loonsfoot, Jr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 12:05 P.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.

Respectfully submitted,


Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – JULY 20, 2017 – 9:00 A.M.

A. Date: July 20, 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: July 20, 2017

G. For Your Information:

1. Approved Travel Policy and Procedures for the Accounting Manual
2. Approved Fleet Vehicle Policies for Casinos/Enterprises and Personnel Manuals/Appendix A

H. Approval of Meeting Minutes:

1. June 22, 2017
2. June 28, 2017
3. July 6, 2017

I. Old Business:

1. Larry Denomie III, CEO – Employee Conduct and Discipline Policy Amendment

J. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –
 - a) Arlan Friisvall, Maintenance Director – Zeba Sewer Repair Project
 - b) Lisa Denomie, Pre-Primary Education Director - Pre-Primary Education Program Business License Renewal (Child Care Center)
 - c) Carole LaPointe, Health Administrator - American Cancer Society Community Health Empowerment/Community Health Advocates implementing Nationwide Grants for Empowerment and Equity Program (CHANGE) Health Care System Agreement Two-year Grant Agreement for \$92,996.00
2. Gary Loonsfoot, Jr., Director of Cultural Resources –
 - a) Referendum Ballot Proposal Discussion related to Limiting the Secretary of Interior Review Process within the Constitution and Tribal Ordinances
 - b) Amendment to the MOA Among the US Army Corps of Engineers, Huntington District, The Ohio State Historic Preservation Office, and the Dayton Power and Light Company, Regarding the Recovery of Archaeological Data from Archaeological Sites with the J.M. Stuart Electric Generating Station in Adams County, Ohio
3. Larry Denomie III, CEO –
 - a) Handicap Accessible Van Policy
 - b) Weekly Update

K. Closed Session:

1. Danielle Webb, Tribal Attorney/Lori Sherman, Natural Resources Director - Treatment as a State
2. Bobby Escobar, Assistant Tribal Attorney/Carole LaPointe, Health Administrator - Dr. Lori Vaughan Physician's Employment Agreement
3. Susan LaFernier, Secretary – Gaming Commission
4. Gundlach Champion - Guaranteed Maximum Price – **2:00 p.m.**

L. Adjournment: