

# 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 27, 2017 – 9:00 A.M.**

APPROVED  
8-10-17

- A. Date: July 27, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:10 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 (left at 11:50 a.m.)  
Doreen G. Blaker, Treasurer  
Robert R.D. Curtis, Jr. (left at 2:20 p.m.)  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot (left at 2:20 p.m.)  
Elizabeth D. Mayo
- Absent: Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 27, 2017
- Additions: Recognize Scheduled Delegation/Individuals- 3. Jeffery Loman – Renewable Operating Permit/MDEQ Public Hearing Update
- Old Business- 3. Arlan Friisvall, Maintenance Director – Zeba Sewer Project Contractor Agreement for Construction Contract
- Deletion: New Business- 3. Rodney Loonsfoot – KBIC Veterans

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

(Doreen G. Blaker and Gary F. Loonsfoot, Jr. are out of the room)

G. For Your Information:

1. KBIC Handicap Accessible Van Guidelines (approved 7/20/17)
2. Letter of Apology from Yvette Friisvall Simmons (KBIC and Ojibwa BP)

H. Recognize Scheduled Delegation/Individuals:

1. Jeffery Loman – MDEQ Air Quality Division Public Hearing Update regarding the L'Anse Warden Plant Renewable Operating Permit held at the L'Anse School on Wednesday, July 26, 2017 for comments

Jeff attended the public meeting last night and his position is that the Regulatory Agency has obviously made blatant mistakes and failed to regulate the operation of the L'Anse Warden Plant and is in violation of the Clean Air Act.

I. Old Business:

1. Larry Denomie III, CEO – Employee Conduct and Discipline (change to Corrective Action) Policy Amendment for the Government, Casinos, and Enterprises Review after the Department Heads reviewed at their meeting yesterday

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AMENDED AND RESTATED EMPLOYEE CONDUCT AND CORRECTIVE ACTION POLICY FOR THE GOVERNMENT, CASINOS, AND ENTERPRISES EFFECTIVE OCTOBER 1, 2017. SUPPORTED BY DOREEN G. BLAKER. 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.**

Section VIII Grievance Procedure Amendment for all policy manuals (Government, Casinos, Enterprises, Police, and Youth) This was also reviewed by the Department Heads yesterday with no opposition

**MOTION MADE BY JENNIFER MISEGAN TO AMEND THE GRIEVANCE PROCEDURE FOR ALL POLICY MANUALS AND BRING IN THE INDEPENDENT APPEALS OFFICER EFFECTIVE OCTOBER 1, 2017. CO-SUPPORTED BY DOREEN G. BLAKER AND ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Elizabeth D. Mayo), THREE OPPOSED (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.**

2. Arlan Friisvall, Maintenance Director – Zeba Sewer Repair (manholes) Project Agreement between Owner and Contractor for Construction Contract with Visu-Sewer, Inc. for Partial Award of Zeba Sewer Repair (I.H.S. Project No. BE-15-J59) \$129,830.50

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND VISU-SEWER, INC. FOR THE ZEB A SEWER REPAIR PROJECT. SUPPORTED BY SUSAN J. LAFERNIER. 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.**

J. New Business:

1. Jason Ayres, Real Estate Officer – Resolution KB-041-2017 Tribal Transportation Improvement Plan (TTIP) 2017-2020 Modification (Amendment No. 1 to KB-065-2016)

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-041-2017 TRIBAL TRANSPORTATION IMPROVEMENT PLAN 2017-2020 MODIFICATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.**

2. Hannah Beesley, Personnel Director/Larry Denomie III, CEO – HR Consulting REDW Expertise 2017 Tribal Government Compensation Survey/Benefits. The National Native American Human Resources Association develops an annual survey of Tribal Government’s compensation (who participate) to provide benchmarks and comparisons.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE HR CONSULTING REDW EXPERTISE 2017 TRIBAL GOVERNEMENT COMPENSATION SURVEY IN THE AMOUNT OF \$1,200.00. SUPPORTED BY GARY F. LOONSFOOT, JR. 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., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.**

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

a) Powwow Report (verbal)

The powwow had a great turnout with 619 registered dancers, 14 drums, and 40 vendors. Parking was an issue and it will be addressed for next year as well as possible camping stickers.

There was one incident involving a medical issue and it was decided to have a defibrillator on site which can be borrowed from DHHS for next year.

A “Thank you” will be sent to the gentleman from Grand Traverse who stepped in to help during the emergency. Rodney Loonsfoot will provide his contact information.

b) Sponsorship Request – Lac Courte Oreilles (LCO) First Annual Softball Tournament August 12-13, 2017 (Registration fee due August 2, 2017)

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SPONSOR FEE OF \$150.00 FOR THE LCO SOFTBALL TOURNAMENT. SUPPORTED BY RODNEY LOONSFOOT. 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.**

**Break: 10:38 – 10:51 a.m.**

4. President Swartz – Committee/Board Selections

Additional applicants were received this morning.

a) Constitution Committee (2) Seats and (1) Alternate Seat for 3-year terms (1 applicant)

**MOTION MADE BY TONI J. MINTON TO APPOINT LORI LAFERNIER TO THE CONSTITUTION COMMITTEE FOR A THREE YEAR TERM. SUPPORTED BY JENNIFER MISEGAN. 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.**

b) Cultural Committee (3) Seats for 3-year terms and (3) Seats for 2-year terms (6 applicants)

**MOTION MADE BY JENNIFER MISEGAN TO APPOINT THE SIX APPLICANTS FOR THE SIX SEATS AVAILABLE TO THE CULTURAL COMMITTEE WITH THREE YEAR TERMS FOR BRENDA BRUNK, BEVERLY LUSSIER, AND ELIZABETH MATTHEWS AND TWO YEAR TERMS FOR LISA DENOMIE, RODNEY LOONSFOOT, AND TONI MINTON. SUPPORTED BY SUSAN J. LAFERNIER. 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, THREE ABSTAINING (Toni J. Minton, Doreen G. Blaker, Rodney Loonsfoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.**

c) Health Board (1) Seat for 3-year term (4 applicants)

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPOINT DEBRA PARRISH TO THE HEALTH BOARD FOR A THREE YEAR TERM. SUPPORTED BY ELIZABETH D. MAYO. 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.**

d) ICWA (Indian Child Welfare Act) Committee (1) Seat for 1-year term (1 applicant)

**MOTION MADE BY ELIZABETH D. MAYO TO APPOINT JACOB MISEGAN TO THE ICWA COMMITTEE FOR A ONE YEAR TERM. CO-SUPPORTED BY TONI J. MINTON AND GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (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., Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Rodney Loonsfoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.**

e) Youth Committee (4) Seats for 2-year terms (4 applicants)

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPOINT MARTY CURTIS, CAROLE LAPOINTE, BILL JONDREAU, AND LORI LAFERNIER TO THE YOUTH COMMITTEE FOR TWO YEAR TERMS. SUPPORTED BY ELIZABETH D. MAYO. 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.**

#### 5. Larry Denomie III, CEO – Weekly Update

The Department Head meeting was held on July 26, 2017. The newly adopted Travel Policy was reviewed and will go into effect on August 1, 2017. The Employee Conduct and Discipline (changed to: Corrective Action) Policy proposed amendments were reviewed and comments were solicited as requested by the Council. No one disliked the softer tone to the proposed policy and the comments received have been incorporated into the final draft which was presented today. The proposed Grievance Procedure Policy was also reviewed with no opposition to the amendment.

[Recognize Scheduled Delegation/Individuals]

2. Carole LaPointe, Health Administrator and Joslyn Haataja, PRC Clerk present – I.H.S. Conference Call with Hope Johnson of BAO/Chris Manydeeds, Program Analyst Office of Tribal Self-Governance regarding purchased referred care and 3<sup>rd</sup> Party revenue

Problems were encountered with the phone lines and the conference call will be rescheduled.

The Council directed Carole to bring back the revenue and expense information that was requested regarding all who are served at the clinic.

[Old Business]

3. Carole LaPointe, Health Administrator – Purchase Referred Care (PRC) Program Booklet

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO TABLE THE HEALTH ADMINISTRATOR'S ITEMS UNTIL ALL OF THE INFORMATION REQUESTED IS PROVIDED. SUPPORTED BY GARY F. LOONSFOOT, JR. 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., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.**

**Lunch: 11:50 a.m. - 1:05 p.m. (Toni Minton left)**

[Recognize Scheduled Delegation/Individuals]

3. Ryan Champagne, Executive Director Grand River - New Market Tax Credits

PowerPoint Presentation - Grand River Community Development

**Robert R.D. Curtis, Jr. returned from lunch at 1:08 p.m.**

K. Closed Session:

1. Ryan Champagne, Grand River - New Market Tax Credits (continued)
2. Danielle Webb, Tribal Attorney - Update

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:42 P.M. AND OPEN TO KBIC MEMBERS. SUPPORTED BY RANDALL R. HAATAJA. 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.**

**Robert R.D. Curtis, Jr. and Rodney Loonsfoot left at 2:20 p.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 2:58 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

Joseph Zobro, M.D., Physicians Employment Agreement (no copy provided)

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE DR. ZOBRO'S CONTRACT FOR THE NEXT TWO YEARS. SUPPORTED BY GARY F. LOONSFOOT, JR. 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, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:01 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**THURSDAY – JULY 27, 2017 – 9:00 A.M.**

A. Date: July 27, 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 27, 2017

G. For Your Information:

1. Handicap Accessible Van Guidelines
2. Letter of Apology

H. Recognize Scheduled Delegation/Individuals:

1. Carole LaPointe, Health Administrator – I.H.S. Conference Call with Hope Johnson of BAO/Chris Manydeeds, Program Analyst Office of Tribal Self-Governance – **11:00 a.m.**
2. Ryan Champagne, Grandriver - New Market Tax Credits – **1:00 p.m.**

I. Old Business:

1. Carole LaPointe, Health Administrator – Purchase Referred Care (PRC) Program Booklet
2. Larry Denomie III, CEO – Employee Conduct and Discipline Policy Amendment



J. New Business:

1. Jason Ayres, Real Estate Officer – Resolution KB-041-2017 Tribal Transportation Improvement Plan (TTIP) 2017-2020 Modification
2. Hannah Beesley, Personnel Director – HR Consulting REDW Expertise Tribal Government Compensation Survey/Benefits
3. Rodney Loonsfoot - KBIC Veterans
4. Gary Loonsfoot, Jr., Director of Cultural Resources –
  - a) Powwow Report
  - b) Sponsorship Request – Lac Courte Oreilles Softball Tournament
5. President Swartz – Committee/Board Selections
  - a) Constitution Committee (2) Seats and (1) Alternate Seat for 3-year terms (no applicants)
  - b) Cultural Committee (3) Seats for 3-year terms and (3) Seats for 2-year terms (6 applicants)
  - c) Health Board (1) Seat for 3-year term (no applicants)
  - d) ICWA (1) Seat for 1-year term (no applicants)
  - e) Youth Committee (4) Seats for 2-year terms (3 applicants)
6. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. Danielle Webb, Tribal Attorney - Update

L. Adjournment: