

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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ROBERT "R.D." CURTIS, JR.
FRED DAKOTA
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, JR.
RODNEY LOONSFOOT
ELIZABETH D. MAYO

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

MINUTES KEWEENAW BAY INDIAN COMMUNITY SPECIAL COUNCIL MEETING OJIBWA CASINO RESORT CONFERENCE ROOM THURSDAY – SEPTEMBER 14, 2017 – 9:00 A.M.

APPROVED

OCT 26 2017

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

- A. Date: September 14, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:05 a.m.
- C. Invocation: Lord's Prayer and prayers to our members in the hospital
- 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. (arrived at 9:09 a.m.)
Fred Dakota (left at 12:26 p.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: September 14, 2017

Robert R.D. Curtis, Jr. arrived at 9:09 a.m.

- Additions: New Business- 3. President Swartz – b) Bayside Staff Donation Request
5. Rodney Loonsfoot - Office of Veterans Affairs
Department Presentation
- Closed Session- 3. Larry Denomie III, CEO – Ojibwa Casino Projects Update
[Open to KBIC Members]

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY JENNIFER MISEGAN. 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. For Your Information:

1. Council Poll September 8, 2017 to approve the renewal of the Language Instructors (Bay Mills Language Immersion classes) Services Agreements with Linda Trudeau and Mabel Lewis-Hill (8 For)

H. Old Business:

1. Carole LaPointe, Health Administrator – Participation and Data Sharing Agreement Upper Peninsula Health Care Solutions January 12, 2017 (Business Associate Agreement effective July 26, 2017) for the purpose of providing technical assistance services to improve quality reporting

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE UPPER PENINSULA HEALTH CARE SOLUTIONS BUSINESS ASSOCIATE AGREEMENT. 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.

2. President Swartz - Appellate Justice Contract with Heather Chapman October 1, 2017 – October 1, 2020

MOTION MADE BY TONI J. MINTON TO APPROVE THE APPELLATE JUSTICE CONTRACT WITH HEATHER CHAPMAN. 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.

3. Elizabeth Mayo – Health Board By-Laws

MOTION MADE BY ELIZABETH D. MAYO TO AMEND THE HEALTH BOARD BY-LAWS UNDER ARTICLE III BOARD MEMBERSHIP SECTION 1 CHANGE THE NUMBER OF REGULAR MEMBERS FROM SEVEN TO NINE AND ADD THAT ONE MEMBER WILL BE AN EMPLOYEE OF THE KBIC DHHS AND ONE WILL BE A COUNCIL REP, REMOVE SECTION 7, AND UNDER ARTICLE V MEETINGS SECTION 2 CHANGE TO FIVE BOARD MEMBERS SHALL CONSTITUTE A QUORUM FROM FOUR. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), TWO OPPOSED (Robert R.D. Curtis, Jr., Rodney Loonsfoot), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

- a) Jeremy Hebert (not present) – C&C Tire Business License Renewal June 16, 2017 – June 15, 2018

MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE THE C&C TIRE BUSINESS LICENSE RENEWAL WITH JEREMY HEBERT. 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) Richard A. Geroux (on behalf of the Foucault-Funke American Legion Post 444) – Jimaganish Wadokaged Liquor License Renewal October 3, 2017 – October 2, 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JIMAGANISH WADOKAGED LIQUOR LICENSE RENEWAL. 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) Carole LaPointe, Health Administrator/Rodney Loonsfoot, KBIC VA Tribal Liaison – Department of Veterans Affairs, Oscar G. Johnson VA Medical Center Direct Care Services Reimbursement Agreement (Draft) to facilitate reimbursement provided by KBIC for certain health care services (effective through June 30, 2019) and improve access to direct care services for eligible American Indian/Alaska Native Veterans

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE DIRECT CARE SERVICES REIMBURSEMENT AGREEMENT BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS OSCAR G. JOHNSON VA MEDICAL CENTER AND THE KEWEENAW BAY INDIAN COMMUNITY. 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.

- d) Carole LaPointe, Health Administrator/Kathy Mayo, Assistant Health Administrator - Inter-Tribal Council of Michigan, Inc. Memorandum of Cooperative Agreement REACH 2017-18 Journey to Wellness Project to bring fresh food to the community, increasing healthy environments (smoke-free), healthy food access, physical activity access, and social support. \$65,000.00

September 30, 2017 – September 29, 2018

MOTION MADE BY TONI J. MINTON TO APPROVE THE MEMORANDUM OF COOPERATIVE AGREEMENT WITH THE INTER-TRIBAL COUNCIL OF MICHIGAN, INC. FOR THE REACH 2017-18 JOURNEY TO WELLNESS 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., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), ABSENT - 0, MOTION CARRIED.

2. Doreen Blaker, Treasurer - Drug Free Work Place Policy Proposed Removal - *Reapply/Rehire/Recall from Layoff* “An individual who tests positive during pre-employment testing or is terminated for violations of this policy must show proof of a completed substance abuse assessment, satisfactory completion of recommendations contained in the assessment report and pass the pre-employment drug testing.” (remove this paragraph from the Government policy Section 22 page 71; Casinos and Enterprise policy Appendix C page 62)

MOTION MADE BY TONI J. MINTON TO APPROVE THE PROPOSED AMENDMENT TO THE DRUG FREE WORK PLACE POLICY. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Jennifer Misegan, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), THREE OPPOSED (Susan J. LaFernier, Robert R.D. Curtis, Jr., Rodney Loonsfoot), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Susan LaFernier stated: revisions could have been made in other sections to address the concerns.

Break: 10:21 – 10:35 a.m.

3. President Swartz –

- a) Aanikoosing, Inc. Articles of Incorporation Board Appointment - Article VII Board of Directors (B) i. two members shall be current members of the Tribal Council

MOTION MADE BY DOREEN G. BLAKER TO APPOINT ELIZABETH D. MAYO TO THE AANIKOOSING, INC. BOARD AS THE TRIBAL COUNCIL MEMBER. 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., Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), ABSENT - 0, MOTION CARRIED.

- b) Bayside Village in L’Anse Staff Appreciation Day (September 15, 2017) Donation Request

KBIC has a number of Tribal Elders that they service. Susan LaFernier and Fred Dakota would like to give a gift of appreciation to their employees (81) and Susan suggested a \$10 Pines card. She has Pines cards left over from the employee picnic or they can be purchased.

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE A DONATION OF 81 PINES GIFT CARDS AT \$10 EACH TO GIVE FOR EACH BAYSIDE EMPLOYEE FOR THEIR STAFF APPRECIATION DAY. CO-SUPPORTED BY MICHAEL F. LAFERNIER, SR. AND GARY F. LOONSFOOT, JR. TEN IN FAVOR (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, ONE ABSTAINING (Jennifer Misegan), ABSENT - 0, MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

Health insurance premiums are at a decrease for the coming year and will be discussed during the budget review.

The Tribal Tobacco Board was interviewed last week and it went very well. The agreements need to be finalized, the site inspection scheduled, and the license will be forthcoming.

5. Rodney Loonsfoot, KBIC VA Tribal Liaison - Office of Veterans Affairs Department Presentation (Veteran Cemetery information) and request to apply for a vehicle through the Wounded Warriors Family Support program, which will fall under the Tribe's Vehicle Use Policy

MOTION MADE BY JENNIFER MISEGAN TO SUPPORT RODNEY LOONSFOOT'S REQUEST TO APPLY FOR THE WOUNDED WARRIORS APPLICATION FOR A VEHICLE. 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.

J. Closed Session:

1. Larry Denomie III, CEO – Ojibwa Casino Projects Update [Open to KBIC Members]
2. Gaming Commissioner Interview
3. Bobby Escobar, Assistant Tribal Attorney/Christopher Schofield, Slot Manager Ojibwa Casino Baraga - Ainsworth Game Technology, Inc. (AGT) Rental Agreement

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:31 A.M. AND THE CASINO PROJECTS UPDATE WILL BE OPEN TO KBIC MEMBERS. 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.

Lunch: 12:26 – 1:19 p.m. (Fred Dakota left)

MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 1:46 P.M. SUPPORTED BY RANDALL R. HAATAJA. 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.

Ainsworth Game Technology, Inc. (AGT) Rental Agreement – Baraga Casino

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AINSWORTH GAME TECHNOLOGY, INC. RENTAL AGREEMENT. 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.

K. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:10 P.M. 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.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – SEPTEMBER 14, 2017 – 9:00 A.M.

A. Date: September 14, 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: September 14, 2017

G. For Your Information:

1. Council Poll September 8, 2017 regarding the Language Instructors Services Agreements with Linda Trudeau and Mabel Lewis-Hill (8 For)

H. Old Business:

1. Carole LaPointe, Health Administrator – Upper Peninsula Health Care Solutions Business Associate Agreement
2. President Swartz - Appellate Justice Contract with Heather Chapman
3. Elizabeth Mayo – Health Board By-Laws

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –
 - a) Jeremy Hebert – C&C Tire Business License Renewal
 - b) Richard Geroux – Jimaganish Wadokaged Liquor License Renewal

- c) Carole LaPointe, Health Administrator/Rodney Loonsfoot, KBIC VA Tribal Liaison – Department of Veterans Affairs, Oscar G. Johnson VA Medical Center Direct Care Services Reimbursement Agreement (Draft)
 - d) Carole LaPointe, Health Administrator/Kathy Mayo, Assistant Health Administrator - Inter-Tribal Council of Michigan, Inc. Memorandum of Cooperative Agreement REACH 2017-18 Journey to Wellness Project
2. Doreen Blaker, Treasurer - Drug Free Work Place Policy Proposed Amendment - Reapply/Rehire/Recall from Layoff
 3. President Swartz – Aanikoosing, Inc. Board Appointment
 4. Larry Denomie III, CEO – Weekly Update

J. Closed Session:

1. Bobby Escobar, Assistant Tribal Attorney/Christopher Schofield, Slot Manager Ojibwa Casino Baraga - Ainsworth Game Technology, Inc. (AGT) Rental Agreement
2. Gaming Commissioner Interview – **1:00 p.m.**

K. Adjournment: