MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – MARCH 29, 2018 – 9:00 A.M.

A. Date: March 29, 2018

B. Call to Order: President Swartz called the meeting to order at 9:05 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 (left at 11:15 a.m.)
Robert R.D. Curtis, Jr.
Fred Dakota (left at 10:55 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot
Elizabeth D. Mayo

Absent: Toni J. Minton, Assistant Secretary

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: March 29, 2018

Move: Old Business 3. Larry Denomie III, CEO – c) SNB Priority List to Closed Session 2. a)

Additions: FYI-Closed Session- 2. Wind Turbines
2. Larry Denomie III, CEO –
b) Health Administrator Wage Negotiation
c) Casino Projects GMP Proposal Update

Change: New Business 5. Rodney Loonsfoot – Donation Request for a Powwow at GVSU

LAKE SUPERIOR BAND OF CHIPPEWA INDIANS
"Home of the Midnight Two-Step Championship"
MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. CO-SUPPORTED BY DOREEN G. BLAKER AND MICHAEL F. LAFERNIER, SR. 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. An invite for a lunch reception honoring U.S. Senator Debbie Stabenow April 3, 2018 in Marquette, MI
2. Wind Turbines

MOTION MADE BY JENNIFER MISEGAN TO APPROVE A HOST LEVEL CONTRIBUTION OF $500.00 TO THE STABENOW FOR U.S. SENATE FUNDRAISING CAMPAIGN AND ALLOW GARY LOONSFOOT, JR. TO ATTEND THE RECEPTION ON BEHALF OF THE COUNCIL. SUPPORTED BY ELIZABETH D. MAYO. 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., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Jr.), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

H. Old Business:

1. Doreen Blaker, Housing Director –
   a) KBIC Housing Department Admission and Occupancy Policy

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE KBIC HOUSING DEPARTMENT ADMISSION AND OCCUPANCY POLICY WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

   b) KBIC Housing Department Operations Policy [Review at the next meeting]

2. Larry Denomie III, CEO –
   a) Job Description for Director of Fire and Emergency Management Posting [Move to Closed Session] One person applied and declined because of the salary. More will be discussed in Closed.

3. Jennifer Misegan, Vice President –

   a) 2nd Reading Proposed Ordinance 2018-02 Title Four Juvenile Division of the Tribal Code Amendment to add 4.614 Permanency Hearing to comply with Title IV-E of the Social Security Act related to the use of “another planned permanent living arrangement” as a permanency plan for children in foster care.

   [See Legislative File]

President Swartz read the Legislative Process and Public Hearing Procedures and opened for written and verbal comments.

Council Members Present: Also in attendance:

Warren C. Swartz, Jr. Danielle Webb
Jennifer Misegan Bobby Escobar
Susan J. LaFernier Tyler Larson
Doreen G. Blaker Duane Misegan
Robert R.D. Curtis, Jr. Larry Denomic III
Fred Dakota Holley Makela
Randall R. Haataja Lori Sherman
Michael F. LaFernier, Sr. Peggy Loonsfoot
Gary F. Loonsfoot, Jr. James Orr
Rodney Loonsfoot Brandon Chosa
Elizabeth D. Mayo Joe Kirkish

No written comments were received.

Verbal comments were received by the following:

Jennifer Misegan gave a verbal comment to state the addition of Substitute #1 H. “Special Considerations (see last 2 pages).

Danielle Webb gave a verbal comment related to the hierarchy of placement for a child when a determination is needed for a permanency plan.

Tyler Larson gave a verbal comment stating the requirements of living space for foster children.

Gary Loonsfoot, Jr. gave a verbal comment asking Social Services to consider when sending kids to group homes that they are comparable to prisons and the same things happen in them.

President Swartz concluded the 2nd Reading at 9:59 a.m.
b) 3rd Reading Proposed Ordinance 2018-02 Title Four Juvenile Division of the Tribal Code Amendment to add 4.614 Permanency Hearing

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE PROPOSED ORDINANCE 2018-02 TITLE FOUR JUVENILE DIVISION AMENDMENT TO ADD 4.614 PERMANENCY HEARING. SUPPORTED BY JENNIFER MISEGAN.

Danielle Webb stated a typographical error, Title VI should read Title IV, on page one in the first paragraph.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE SUBSTITUTE #1 FOR ORDINANCE 2018-02 AMENDING TITLE FOUR ADDING 4.614 AND ADDING H. SPECIAL CONSIDERATIONS AND CORRECTING THE TYPOGRAPHICAL ERROR. SUPPORTED BY DOREEN G. BLAKER. 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, ONE ABSTAINING (Rodney Loonsfoot), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE PROPOSED ORDINANCE 2018-02 TITLE FOUR JUVENILE DIVISION AMENDMENT TO ADD 4.614 PERMANENCY HEARING. SUPPORTED BY JENNIFER MISEGAN. 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.

Break: 10:04 – 10:20 a.m.

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

   a) Duane Misegan, Chief of Police - Memorandum of Understanding with Lac Vieux Desert Band of Lake Superior Chippewa Indians for the use of the K-9 Unit Team for Narcotics Detection and Prevention (five year term) to address the drug abuse crisis in both communities

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH LAC VIEUX DESERT FOR THE USE OF THE K-9 UNIT TEAM. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Randall R. Haataja, Rodney Loonsfoot), ONE ABSENT (Toni J. Minton), MOTION CARRIED.
b) Holley Makela, Child Support Services Director - Memorandum of Understanding (MOU) with the Michigan Department of Human Services Office of Child Support – Data Agreement Amendment to add IRS Publication 1075 Exhibit 7 Contract Language for General Services

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE OFFICE OF CHILD SUPPORT DATA AGREEMENT AMENDMENT. 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.

2. Lori Sherman, Natural Resources Director –

a) Fischer Biological Consulting LLC Services Agreement Request for hatchery improvements up to $20,000.00 (Single Source)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE REQUEST FOR A SERVICES AGREEMENT WITH FISCHER BIOLOGICAL CONSULTING, LLC. SUPPORTED BY RODNEY LOONSFOOT. 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.

b) White Water Associates Services Agreement Request to complete a third year of sampling in wild rice waters and develop a report (Sole Source)

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE REQUEST FOR A SERVICES AGREEMENT WITH WHITE WATER ASSOCIATES. SUPPORTED BY JENNIFER MISEGAN. 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. Jason Ayres, Real Estate Officer – Resolution KB-010-2018 Ojibwa Recreation Area Improvements Phase Three (3) Application - Multicultural Intermediary for Collaborative Action (MICA Group) regarding the Lighthouse Repair - $35,000.00 with $35,940.00 in KBIC labor contributions

Fred Dakota left at 10:55 a.m.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-010-2018. SUPPORTED BY JENNIFER MISEGAN. 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.
4. James Orr, Marketing Director – Bids for (2) 2018 Chevy Equinox (3) for the “Roll into Spring in a new SUV” May 2018 Giveaway Promotion at the Baraga/Marquette Casinos

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM FREI CHEVROLET FOR THE TWO EQUINOXES AT $24,983.00 EACH. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr.), THREE OPPOSED (Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Fred Dakota), MOTION CARRIED.

5. Rodney Loonsfoot – Donation Request for a Powwow at Grand Valley State University

20th Anniversary of the All Walks of Life Traditional Powwow on April 7-8, 2018

MOTION MADE BY GARY F. LOONSFOOT, JR. TO APPROVE A WATER LEVEL SPONSORSHIP OF $500.00 TO THE GRAND VALLEY STATE UNIVERSITY 20TH ANNIVERSARY POWWOW. SUPPORTED BY ROBERT R.D. CURTIS, JR. FOUR IN FAVOR (Doreen G. Blaker, Robert R.D. Curtis, Jr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), FIVE OPPOSED (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Fred Dakota), MOTION DEFEATED.

6. Larry Denomie III, CEO – Weekly Update

The Health Administrator Interviews were held yesterday and went well.

Doreen Blaker left at 11:15 a.m.

J. Closed Session:

1. Danielle Webb, Tribal Attorney – Update
2. Larry Denomie III, CEO –
   a) SNB-Priority List regarding the Casino Projects
   b) Health Administrator Wage Negotiation
   c) Casino Projects GMP Proposal Update
   d) Director of Fire and Emergency Management Position

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:15 A.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.
MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:18 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

Health Administrator Wage Negotiation

MOTION MADE BY JENNIFER MISEGAN TO GO ALONG WITH THE SELECTION COMMITTEE’S RECOMMENDATION FOR THE HEALTH ADMINISTRATOR AND TO NEGOTIATE A WAGE UP TO $100,000.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Jr.), THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 12:20 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, 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, THREE ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

Respectfully submitted,

Peggy Loonsfoot
Administrative Specialist
AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – MARCH 29, 2018 – 9:00 A.M.

A. Date: March 29, 2018

B. Call to Order:

C. Invocation: Lord’s Prayer

D. Roll Call:
   ___ Warren C. Swartz, Jr., President
   ___ Jennifer Misigan, 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: March 29, 2018

G. For Your Information:

   1. An invite for a lunch reception honoring U.S. Senator Debbie Stabenow

H. Old Business:

   1. Doreen Blaker, Housing Director –
      a) KBIC Housing Department Admission and Occupancy Policy
      b) KBIC Housing Department Maintenance Policy
   2. Jennifer Misegan, Vice President –
      a) 2nd Reading Proposed Ordinance 2018-02 Title Four Juvenile Division Amendment to add 4.614 Permanency Hearing – 9:30 a.m.
      b) 3rd Reading Proposed Ordinance 2018-02 Title Four Juvenile Division Amendment to add 4.614 Permanency Hearing
   3. Larry Denomie III, CEO –
      a) Job Description Amendment for Director of Fire and Emergency Management Position
b) Drug-Free Workplace Policy Random Testing List
c) SNB Priority List

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –
   a) Duane Misegan, Chief of Police - Memorandum of Understanding with Lac Vieux Desert Band of Lake Superior Chippewa Indians for the use of the K-9 Unit Team for Narcotics Detection and Prevention
   b) Holley Makela, Child Support Services Director - Memorandum of Understanding (MOU) with the Office of Child Support – Data Agreement Amendment

2. Lori Sherman, Natural Resources Director –
   a) Fischer Biological Consulting LLC Services Agreement Request (Single Source)
   b) White Water Associates Services Agreement Request (Sole Source)

3. Jason Ayres, Real Estate Officer – Resolution KB-010-2018 Phase Three (3) Application - Multicultural Intermediary for Collaborative Action (MICA Group) regarding the Lighthouse Repair

4. James Orr, Marketing Director – Bids (3) for the May 2018 SUV Giveaway Promotion

5. Doreen Blaker, Treasurer – Donation Request for a Powwow at Grand Valley State University

6. Larry Denomic III, CEO – Weekly Update

J. Closed Session:

1. Danielle Webb, Tribal Attorney – Update

K. Adjournment: