A. Date: August 25, 2016

B. Call to Order: President Swartz called the meeting to order at 9:06 a.m.

C. Invocation: Lord’s Prayer/Prayers for the Standing Rock Sioux Tribe/Prayers for the Bemis Family

Eddy Edwards arrived at 9:07 a.m.

D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President (arrived at 9:09 a.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (arrived at 9:08 a.m., left at 10:52 a.m.)
Fred Dakota (left at 10:52 a.m.)
Eddy Edwards (arrived at 9:07 a.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr. (arrived at 9:34 a.m.)

Absent: Donald Shalifoe, Sr.

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

F. Approval of Agenda: August 25, 2016

Addition: I. Recognize Scheduled Delegation/Individuals-
1. James Wood Donation Request
MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

G. For Your Information:

Robert R.D. Curtis, Jr. arrived at 9:08 a.m.

1. Natural Resources Department and Keweenaw Bay Ojibwa Community College Presents “When Can We Eat The Fish?” as part of the Fall Lunch & Learn Series Ojibwa Casino Resort Conference Room – September 9, 2016 at Noon

Jennifer Misegan arrived at 9:09 a.m.

H. Approval of Meeting Minutes:

1. August 4, 2016

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AUGUST 4, 2016 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr.), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Eddy Edwards), TWO ABSENT (Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

2. August 11, 2016

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AUGUST 11, 2016 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr.), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Eddy Edwards), TWO ABSENT (Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

I. Recognize Scheduled Delegation/Individuals:

1. James Wood – Donation Request for Medical Travel Expenses to accompany his girlfriend, Maureen VanAbel (non-tribal) to a medical appointment in Green Bay, Wisconsin

MOTION MADE BY EDDY EDWARDS TO APPROVE A $500.00 DONATION TO JAMES WOOD FOR MEDICAL TRAVEL TO ACCOMPANY HIS NON-TRIBAL GIRLFRIEND. SUPPORTED BY ROBERT R.D. CURTIS, JR. FIVE IN FAVOR (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr.), FOUR OPPOSED (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Fred Dakota), ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.
MOTION MADE BY TONI J. MINTON TO AMEND THE CAP POLICY TO INCLUDE SIGNIFICANT OTHERS FOR THE EMERGENCY MEDICAL ASSISTANCE AS LONG AS THEY HAVE BEEN TOGETHER FOR FIVE YEARS OR MORE. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

J. Closed Session:

1. Francis LaPointe, CFO – Ojibwa Holding Company BP Loan Refinancing and Authorized Signatures
2. Larry Denomie III, CEO – Ojibwa Casinos General Manager Applicants
3. Cynthia A. Anderson Personnel Request

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 9:27 A.M. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr.), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), MOTION CARRIED.

Break: 9:28 – 9:32 a.m.

Gary Loonsfoot, Sr. arrived at 9:34 a.m.

Robert R.D. Curtis, Jr. returned from break at 9:36 a.m.

MOTION MADE BY TONI J. MINTON TO GO INTO OPEN SESSION AT 10:20 A.M. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

Ojibwa Holding Company Ojibwa BP Loan Refinancing and Authorized Signatures –

MOTION MADE BY TONI J. MINTON TO REFINANCE THE LOAN FOR THE OJIBWA BP UNDER THE THREE-YEAR FIXED OPTION IN THE AMOUNT OF $229,104.93. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), ONE OPPOSED (Fred Dakota), ONE ABSTAINING (Susan J. LaFernier), ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.
Cynthia A. Anderson Personnel Request

MOTION MADE BY TONI J. MINTON TO DENY THE REQUEST OF CYNTHIA A. ANDERSON. SUPPORTED BY GARY F. LOONSFoot, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

K. Old Business:

1. Jennifer Misegan, Vice President - Membership Life Insurance

Homeland Healthcare Insurance has backed out of the administration of the voluntary portion of the Group Life Insurance for Tribal members. Our insurance carrier, M-3, is having difficulty finding anyone to do the administration. Jennifer does not feel the Tribe is equipped to administer the voluntary portion at this time. The Council consensus was to wait until there is someone available to handle the administration of this plan.

L. New Business:

1. Cherie Dakota, OVW Team Lead for Niimigimiwang Office of Violence Against Women – Donation Request for the 8th Annual Chelsey LaFernier Memorial Walk on Saturday, October 1, 2016 The speaker will be Teri Jendusa-Nicolai

MOTION MADE BY TONI J. MINTON TO APPROVE A DONATION OF $2,000.00 FOR THE 8 TH ANNUAL CHELSEY MEMORIAL WALK. CO-SUPPORTED BY JENNIFER MISEGAN AND SUSAN J. LAFERNIER. 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, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

Eddy Edwards stated his opposition: He stated that the cost of the speaker was too much.


MOTION MADE BY TONI J. MINTON TO APPROVE THE BUSINESS LICENSE FOR ANGELA KELLY AND DENISE MOSCHETTO FOR SWEET GRASS SPA AND CHANGE THE RESIDENTIAL ADDRESS ON THE LICENSE. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO APPROVE THE LANGUAGE IMMERSION INSTRUCTOR TIER III SERVICES AGREEMENTS WITH LINDA TRUDEAU, MABEL LEWIS-HILL, AND FRIEDA LEWIS. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

4. Jason Ayres, Real Estate Officer –

a) Resolution KB-047-2016 Request Bids for the proposed residential lease site (1) and improvements on 15241 Pequaming Road L’Anse, MI (former property of Margaret Dunn and Beverly Lussier)

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-047-2016 REQUEST BIDS FOR 15241 PEQUAMING ROAD AND REMOVE THE WORD RESIDENTIAL. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

b) Resolution KB-048-2016 Timothy J. Szymanski, Jr. Recreational Lease L’Anse Township

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-048-2016 TIMOTHY J. SZYMANSKI RECREATIONAL LEASE. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

c) Resolution KB-049-2016 Michael L. Whetung Recreational Lease L’Anse Township

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE RESOLUTION KB-049-2016 MICHAEL L. WHETUNG RECREATIONAL LEASE. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.
MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-052-2016 TINA M. MURRAY RESIDENTIAL LEASE. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

5. Arlan Friisvall, Maintenance Director – Keweenaw Bay (Zeba) Water Plant Intake Inspection and Repair Bids (2)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BID FROM UP OPERATIONS GREAT LAKES DIVING AND SALVAGE FOR THE WATER INTAKE INSPECTION AND REPAIR IN THE AMOUNT OF $18,600.00. CO-SUPPORTED BY ROBERT R.D. CURTIS, JR. AND 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

Break: 10:52 – 11:05 a.m. (Robert R.D. Curtis, Jr. and Fred Dakota left)

6. Carole Lapointe, Health Administrator (not present) - Richard Brantner, R.Ph., Chief Pharmacist Employment Agreement First Amendment to change the date from August 24, 2016 to August 29, 2016 – August 28, 2018

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE FIRST AMENDMENT FOR THE CHIEF PHARMACIST EMPLOYMENT AGREEMENT WITH RICHARD BRANTNER. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.


8. President Swartz – Funding to Marquette Little Presque Isle State Park to provide Lifesaving Equipment
MOTION MADE BY JENNIFER MISEGAN TO APPROVE $10,000.00 AS A TWO PERCENT PAYMENT TO MARQUETTE TOWNSHIP FOR THE PURCHASE OF THE EMILY ROBOT PENDING THEIR ACCEPTANCE AS A PASS-THROUGH AGENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

9. Jennifer Misegan, Vice President – 1st Reading Proposed Amendment Ordinance 2016-05 Title One General Provisions of the Tribal Code Section 1.203 Tribal Prosecuting Attorney Qualifications

Jennifer introduced the proposed amendment to Ordinance 2016-05 Title One General Provisions of the Tribal Code related to the Tribal Prosecuting Attorney qualification Section 1.203 as follows: The Tribal Prosecuting Attorney shall have an active membership and shall remain in good standing in the State Bar of any state.

The 2nd and 3rd Readings are scheduled for September 10, 2016.

The Regular Tribal Council meeting will be held at Harvey on October 8, 2016 at 10:00 a.m.

10. Larry Denomie III, CEO – Weekly Update

Fingerprinting will begin at the Police Department. Bruce LaPointe, Director of Public Works, has resigned and Larry is considering rearranging the staff to absorb the duties. The Enterprise Employees picnic and Employee Recognition was held on August 24, 2016. Mike LaFernier and George Geroux inspected the truck for the Transfer Station in Rice, Minnesota and found it to be in good shape.

Authorized Signatures –

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PRESIDENT AND TREASURER AS AUTHORIZED SIGNATURES FOR THE REFINANCING OF THE OJIBWA BP LOAN. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.
M. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 12:13 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Donald Shalifoe, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Loonsfoot
Administrative Specialist
AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – AUGUST 25, 2016 – 9:00 A.M.

A. Date: August 25, 2016

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
   __ Eddy Edwards
   __ Randall R. Haataja
   __ Michael F. LaFernier, Sr.
   __ Gary F. Loonsfoot, Sr.
   __ Donald Shalifoe, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: August 25, 2016

G. For Your Information:

   1. Natural Resources Department and Keweenaw Bay Ojibwa Community College Presents “When Can We Eat The Fish?” Ojibwa Casino Resort Conference Room – September 9, 2016 at Noon

H. Approval of Meeting Minutes:

   1. August 4, 2016
   2. August 11, 2016

I. Closed Session:

   1. Francis LaPointe, CFO – Holding Company BP Loan Refinance and Authorized Signatures
   2. Larry Denomie III, CEO – Ojibwa Casinos General Manager Applicants
   3. Cynthia A. Anderson Personnel Request
J. Old Business:

1. Jennifer Misegan, Vice President - Membership Life Insurance

K. New Business:

1. Cherie Dakota, OVW Team Lead for Niimiiginimweng Office of Violence Against Women – Donation Request for the 8th Annual Chelsey Memorial Walk on Saturday, October 1, 2016
2. Angela Kelly/Denise Moschetto – Sweet Grass Spa (Hair Salon and Spa) New Business License Application
3. Gary Loonsfoot, Jr., Director of Cultural Resources – Language Immersion Instructor Services Agreements (3)
4. Jason Ayres, Real Estate Officer –
   a) Resolution KB-047-2016 Request Bids for 15241 Pequaming Road
   b) Resolution KB-048-2016 Timothy J. Szymanski Recreational Lease
   c) Resolution KB-049-2016 Michael L. Whetung Recreational Lease
   d) Resolution KB-052-2016 Tina M. Murray Residential Lease
5. Arlan Friisvall, Maintenance Director – Keweenaw Bay (Zeba) Water Intake Inspection and Repair Bids (2)
6. Carole LaPointe, Health Administrator - Richard Brantner, R.Ph., Chief Pharmacist Employment Agreement First Amendment
8. President Swartz – Funding to Little Presque Isle State Park to provide Lifesaving Equipment
9. Jennifer Misegan, Vice President – Proposed Amendment Ordinance 2016-05 Title One Provisions of the Tribal Code Section 1.203 Tribal Prosecuting Attorney Qualifications
10. Larry Denomie III, CEO – Weekly Update

L. Adjournment: