MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – OCTOBER 25, 2018 – 9:00 A.M.

A. Date: October 25, 2018

B. Call to Order: President Swartz called the meeting to order at 9:11 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 10:10 a.m.)
   Doreen G. Blaker, Treasurer
   Robert R.D. Curtis, Jr.
   Fred Dakota (left at 10:18 a.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: October 25, 2018

   Addition: Closed Session
   3. Soumit Pendharkar, Health Administrator – BCMH Discussion

   Move: New Business 3. a) ii. Dr. Rian Mintek Physician’s Employment Agreement to 1. d)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFoot, 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.

LAKE SUPERIOR BAND OF CHIPPEWA INDIANS
"Home of the Midnight Two-Step Championship"
G. For Your Information:

1. KBNRD Update Memo regarding KBIC’s Treatment as a State (TAS) Applications to EPA for Water Quality and Air Quality

H. Recognize Scheduled Delegation/Individuals:

1. Sophia Ford, MTU Master’s Student – Presentation on Locating Mineral Rights Ownership in the Keweenaw Bay Indian Community and Baraga County. She handed out various maps regarding mineral ownership and mineral resources.
2. Luis Verissimo, Consultant/Erin Johnston, Wildlife Biologist – LiDAR and Derivative Data Presentation – A synopsis of the KBIC Geospatial Unit Inventory

BREAK – will return later in the meeting

I. New Business:

1. Danielle Webb, Tribal Attorney –
   
a) Bradley Dakota, Chief Judge – Alger County Sheriff’s Department Agreement to House Inmates to continue unless terminated

MOTION MADE BY RODNEY LOONSFoot TO APPROVE THE AGREEMENT TO HOUSE INMATES WITH THE ALGER COUNTY SHERIFF’S DEPARTMENT. SUPPORTED BY ELIZABETH D. MAYO. 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) Todd Chosa – TC Electric (New) Business License for electrical contracting
October 16, 2018 – October 15, 2019

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE NEW BUSINESS LICENSE WITH TODD CHOsa FOR TC ELECTRIC. SUPPORTED BY GARY F. LOONSFoot, 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.

   c) Soumit Pendharkar, Health Administrator – Amendment #1 to the Employment Agreement Nurse Practitioner with Whitney Newsom, FNP-C for a change to the term and continuation

October 8, 2018 – October 7, 2020
MOTION MADE BY JENNIFER MISEGAN TO APPROVE AMENDMENT #1 TO THE EMPLOYMENT AGREEMENT WITH WHITNEY NEWSOM. SUPPORTED BY SUSAN J. LAFERNIER. 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.

    d) Dr. Rian David Mintek Physician's Employment Agreement Renewal October 1, 2018 – September 30, 2020

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE PHYSICIAN’S EMPLOYMENT AGREEMENT RENEWAL WITH DR. RIAN D. MINTEK. SUPPORTED BY RODNEY LOONSFOOT. NINE IN FAVOR (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), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

Jennifer Misegan stated her opposition: She would have liked to have more information on the over prescribing of Opioids.

2. Soumit Pendharkar, Health Administrator –
   
a) Introduction of Whitney Newsom, FNP-C, Nurse Practitioner

b) Expansion of Services at the KBIC Health System (a summary sheet was handed to the Council)

Starting January 1, 2019 the operating hours will change to Monday - Friday 7:30 a.m. to 6:00 p.m. with a 7:00 a.m. lab service, the pharmacy hours will likely be 8:00 a.m. to 6:30 p.m., and most staff will shift to a four-day 10-hour work week. The Dental goals are still in progress to provide service Monday – Friday 7:30 a.m. to 6:00 p.m.

Toni Minton arrived at 10:10 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE EXPANSION OF SERVICES AT THE HEALTH CLINIC. 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.

Break: 10:18 – 10:33 a.m. (Fred Dakota left)

3. Paul Mooney, Assistant Tribal Attorney –
   
a) Soumit Pendharkar, Health Administrator –
i. Prime Therapeutics, LLC Pharmacy Participation Agreement Exhibit B-MS
Medicare Pharmacy Network effective January 1, 2019

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PRIME THERAPEUTICS
PHARMACY PARTICIPATION AGREEMENT. SUPPORTED BY DOREEN G. BLAKER.
NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker,
Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Gary F. Loonsofoot, Jr., Rodney Loonsofoot,
Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Randall R. Haataja), ONE ABSENT
(Fred Dakota), MOTION CARRIED.

ii. Tribal Diagnostics, LLC Laboratory Services Agreement (1) year term with
automatic renewal unless notice provided within (3) months prior to expiration

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TRIBAL DIAGNOSTICS,
LLC LABORATORY SERVICES AGREEMENT. SUPPORTED BY TONI J. MINTON. 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. Loonsofoot, Jr., Rodney
Loonsofoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota),
MOTION CARRIED.

[Recognize Scheduled Delegation/Individuals] - Return to Luis Verissimo LiDAR Presentation

J. Approval of Meeting Minutes:

1. June 2, 2018

MOTION MADE BY TONI J. MINTON TO APPROVE THE JUNE 2, 2018 MEETING
MINUTES. 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., Gary F. Loonsofoot, Jr., Elizabeth D. Mayo), OPPOSED - 0,
ONE ABSTAINING (Rodney Loonsofoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.

2. June 7, 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JUNE 7, 2018 MEETING
MINUTES. SUPPORTED BY TONI J. MINTON. 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. Loonsofoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ONE
ABSTAINING (Rodney Loonsofoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.
3. June 12, 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JUNE 12, 2018 MEETING MINUTES. 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.

4. June 21, 2018

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JUNE 21, 2018 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Rodney Loonsfoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.

5. June 25, 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JUNE 25, 2018 MEETING MINUTES. SUPPORTED BY RANDALL R. HAATAJA. EIGHT 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., Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Rodney Loonsfoot), ONE ABSENT (Fred Dakota), MOTION CARRIED.

[New Business]


Total Price: $1,058,932.42
(50% due upon acceptance $529,466.21)
(30% due upon delivery $317,679.73)
(20% balance due upon completion $211,786.48)

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE NAV CONTRACT FOR SALE OF GOODS AND SERVICES WITH HALIFAX SECURITY, INC. SUPPORTED BY GARY F. LOONSFOOT, JR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, 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, ONE ABSENT (Fred Dakota), MOTION CARRIED.
c) Jeanne Hirzel, Substance Abuse Program Director (not present)/Robert R.D. Curtis, Jr., Outpatient Services – Inter-Tribal Council of Michigan, Inc. (ITC) Subcontract Award Summary Tribal Opioid Use Disorder Prevention Initiative (TOP) funded thru the Opioid State Targeted Response (Short Title: Opioid STR – CFDA Number 93.788, Opioid STR)

October 1, 2018 – September 30, 2019 $30,000.00

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE SUBCONTRACT WITH ITC FOR THE TRIBAL OPIOID USE DISORDER PREVENTION INITIATIVE. 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.

4. Diana Chaudier, Election Board Chair - Election Board Alternate (1) Selection for the 2018 Primary/General Elections

(9) Tribal members submitted a letter of interest in the election worker/alternate position

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE MELISSA LAFAERNIER AS AN ELECTION BOARD ALTERNATE FOR THE KBIC ELECTION YEAR 2018. SUPPORTED BY GARY F. LOONSFOOT, JR. SIX IN FAVOR (Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, FOUR ABSTAINING (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr.), ONE ABSENT (Fred Dakota), MOTION CARRIED.

Lunch: 12:06 – 1:18 p.m.

5. Jennifer Misegan, Vice President – Employee Wages

MOTION MADE BY JENNIFER MISEGAN TO RAISE THE GRADE 3 STARTING AMOUNT TO $10 AN HOUR AND INCREASE ALL THE EMPLOYEES IN THAT GRADE 20 CENTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR.

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO TABLE UNTIL A WAGE ANALYSIS IS DONE. SUPPORTED BY RODNEY LOONSFOOT. TWO IN FAVOR (Robert R.D. Curtis, Jr., Rodney Loonsfoot), SEVEN OPPOSED (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.,), ONE ABSTAINING (Elizabeth D. Mayo), ONE ABSENT (Fred Dakota), MOTION DEFEATED.
Employee Wage Adjustments

MOTION MADE BY JENNIFER MISEGAN TO RAISE THE GRADE 3 STARTING AMOUNT TO $10 AN HOUR AND INCREASE ALL THE EMPLOYEES IN THAT GRADE 20 CENTS EFFECTIVE OCTOBER 1, 2018 TRIBAL-WIDE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, 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, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Rodney Loonsfoot stated his opposition: He would like to see employees, with or without a gaming license, be given a fair wage for the work they perform.

Employee Wage Analysis –

MOTION MADE BY ELIZABETH D. MAYO TO DO A WAGE ANALYSIS FOR ALL EMPLOYEES AS SOON AS POSSIBLE. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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.

The Council would like a wage analysis done by the Personnel/HR Offices (without contracting externally)

6. Larry Denomie III, CEO – Weekly Update [Deleted]

K. Closed Session:

1. Jason Ayres, Real Estate Officer – NNG (Northern Natural Gas) Request to Renew a natural gas pipeline easement in Baraga Township
2. Danielle Webb, Tribal Attorney – Update
3. Soumit Pendharkar, Health Administrator – BCMH Discussion

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 1:38 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.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 3:43 P.M. 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.
L. Adjournment:

MOTION MADE BY TONI J. MINTON TO ADJOURN AT 3:44 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegang, 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
BIG BUCKS BINGO HALL
THURSDAY – OCTOBER 25, 2018 – 9:00 A.M.

A. Date: October 25, 2018

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: October 25, 2018

G. For Your Information:

1. NRD Updates regarding KBIC’s Treatment as a State (TAS) Application to EPA

H. Recognize Scheduled Delegation/Individuals:

1. Sophia Ford, MTU Master’s Student – Presentation on Locating Mineral Rights Ownership in the Keweenaw Bay Indian Community and Baraga County
2. Luis Verissimo, Consultant/Erin Johnston, Wildlife Biologist – LiDAR and Derivative Data Presentation – A synopsis of the KBIC Geospatial Unit Inventory

I. Approval of Meeting Minutes:

1. June 2, 2018
2. June 7, 2018
3. June 12, 2018
4. June 21, 2018
5. June 25, 2018

J. New Business:

1. Danielle Webb, Tribal Attorney –
   a) Bradley Dakota, Chief Judge – Alger County Sheriff’s Department Agreement to House Inmates
   b) Todd Chosa – TC Electric (New) Business License
   c) Soumit Pendharkar, Health Administrator – Amendment #1 to the Employment Agreement with Whitney Newsom, FNP-C

2. Soumit Pendharkar, Health Administrator –
   a) Introduction of Whitney Newsom, Nurse Practitioner
   b) Expansion Hours

3. Paul Mooney, Assistant Tribal Attorney –
   a) Soumit Pendharkar, Health Administrator –
      i. Prime Therapeutics, LLC Pharmacy Participation Agreement Exhibit B-MS
      ii. Dr. Rian David Minken Physician’s Employment Agreement Renewal
      iii. Tribal Diagnostics, LLC Laboratory Services Agreement
   c) Jeanne Hirzel, Substance Abuse Program Director – Inter-Tribal Council of Michigan, Inc. (ITC) Subcontractual Agreement for Tribal Opioid Use Disorder Prevention Initiative (TOP)

4. Diana Chaudier, Election Board Chair - Election Board Alternate Selection for the 2018 Primary/General Elections

5. Jennifer Misegan, Vice President – Employee Wages

6. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. Jason Ayres, Real Estate Officer - NNG Easement Renewal

2. Danielle Webb, Tribal Attorney - Update

L. Adjournment: