

# KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center  
16429 Beartown Road  
Baraga, Michigan 49908  
Phone (906) 353-6623  
Fax (906) 353-7540

## 2016 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  
EDDY EDWARDS  
RANDALL R. HAATAJA  
MICHAEL F. LAFERNIER, SR.  
GARY F. LOONSFOOT, SR.  
DONALD SHALIFOE, SR.

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**SATURDAY – FEBRUARY 6, 2016 – 9:00 A.M.**

**APPROVED**  
2-25-16

- A. Date: February 6, 2016
- B. Call to Order: President Swartz called the meeting to order at 9:40 a.m.
- C. Invocation: Ojibwa Prayer by Donald Shalifoe, Sr./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  
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: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 6, 2016
- Deletions: H. President's Report/January 2016  
J. CEO's Report/January 2016
- Addition: J. New Business- 1. Doreen Blaker – b) 3<sup>rd</sup> Reading Proposed Ordinance  
2015-03 Medical Marijuana Exception/Unauthorized Sale  
of Medical Marijuana

**MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Sbalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

G. For Your Information:

1. A "Thank you" from Ann Hurley
2. A "Thank you" from Mary Beiring
3. A "Thank you" from the Beacon House Staff
4. A "Thank you" from Steven Nardizzi, CEO of Wounded Warrior Project
5. A "Thank you" from Amy Poirier, Coordinator of Great Lakes Recovery Centers
6. A "Thank you" from Richard Sarau, Interim Superintendent of Baraga Area Schools
7. A "Thank you" from Jim Provost, Chair of Marquette County Veterans Alliance
8. A "Thank you" from Ian Davis, Fire Chief of Marquette City Fire Department
9. An Invite to the Upper Peninsula Environmental Coalition Annual Event *Celebrate the UP!* on March 18-19, 2016 at the Baraga Campus of the KBOCC

H. Secretary's Report/January 2016 – available for your review

**MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 2016 SECRETARY'S REPORT. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

I. Department Head Reports/December 2015

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE DECEMBER 2015 DEPARTMENT HEAD REPORTS. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Michael F. LaFernier, Sr.), ONE ABSTAINING (Robert R.D. Curtis, Jr.), ABSENT - 0, MOTION CARRIED.**

Michael LaFernier, Sr. stated his opposition: He is opposed because not all of the reports have been turned in.

Robert R.D. Curtis, Jr. stated his abstention: He did not read all of the reports.

J. New Business:

1. Doreen Blaker, Treasurer –
  - a) Donations/February 2016

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE FEBRUARY 2016 DONATIONS AS THE FOLLOWING: \$500.00 TO THE BARAGA SENIOR CLASS 2016 LOCK-IN AND \$250.00 TO THE BARAGA AREA SCHOOLS PINK-OUT BASKETBALL GAME. 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, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

b) 3<sup>rd</sup> Reading Proposed Ordinance 2015-03 3.1707 Medical Marijuana Exception and 3.1708 Unauthorized Sale of Medical Marijuana - Title Three

President Swartz read the Legislative Process.

Fred Dakota stated that the Feds have not approved this.

Eddy Edwards stated that the Council should keep in mind the issues with our own doctors and their opinions of it for the members at our clinic.

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE SECTION 3.1707 MEDICAL MARIJUANA EXCEPTION AND 3.1708 UNAUTHORIZED SALE OF MEDICAL MARIJUANA IN TITLE THREE ORDINANCE 2015-03. SUPPORTED BY EDDY EDWARDS.**

Susan LaFernier provided written amendments to Section 3.1708 Unauthorized Sale of Medical Marijuana. (See Legislative File)

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE AMENDMENTS RELATED TO SECTION 3.1708. SUPPORTED BY JENNIFER MISEGAN. EIGHT 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.), THREE OPPOSED (Eddy Edwards, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE SECTION 3.1707 MEDICAL MARIJUANA EXCEPTION IN TITLE THREE ORDINANCE 2015-03. 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.), ONE OPPOSED (Donald Shalifoe, Sr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**2<sup>nd</sup> Reading Proposed Ordinance 2016-03 Title Four Juvenile Division Section 4.512**

Finding of Probable Cause and Need for Detention C. add: all parents of a sibling of the child, where such parent has legal custody of such sibling

[See Legislative File]

President Swartz read the Legislative Process and Public Hearing Procedures.

Council Members Present: President Swartz, Jennifer Misegan, Susan LaFERNIER, Toni Minton, Doreen Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Randy Haataja, Mike LaFERNIER, Sr., Gary Loonsfoot, Sr., Donald Shalifoe, Sr.

Also in attendance: Danielle Webb, Chris Ford, Kim Klopstein, Alex Tilson, Peggy Loonsfoot.

President Swartz opened for public comments: No written or verbal comments were received.

President Swartz concluded the 2nd Reading at 10:28 a.m.

The 3rd Reading was scheduled on February 11, 2016.

K. Adjournment:

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 10:30 A.M. SUPPORTED BY FRED DAKOTA. ALL 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., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**SATURDAY – FEBRUARY 6, 2016 – 9:00 A.M.**

A. Date: February 6, 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: February 6, 2016

G. For Your Information:

1. A "Thank you" from Ann Hurley
2. A "Thank you" from Mary Beiring
3. A "Thank you" from the Beacon House Staff
4. A "Thank you" from Steven Nardizzi, CEO of Wounded Warrior Project
5. A "Thank you" from Amy Poirier, Coordinator of Great Lakes Recovery Centers
6. A "Thank you" from Richard Sarau, Interim Superintendent of Baraga Area Schools
7. A "Thank you" from Jim Provost, Chair of Marquette County Veterans Alliance
8. A "Thank you" from Ian Davis, Fire Chief of Marquette City Fire Department
9. An Invite to the Upper Peninsula Environmental Coalition Annual Event *Celebrate the UP!* on March 18-19, 2016 at the Baraga Campus of the KBOCC

II. President's Report/January 2016

I. Secretary's Report/January 2016

J. CEO's Report/January 2016

K. Department Head Reports/December 2015

L. New Business:

1. Doreen Blaker, Treasurer – Donations/February 2016

M. Adjournment:

**2<sup>nd</sup> Reading Proposed Ordinance 2016-03 Title Four Juvenile Division 4.512 – 10:00 a.m.**

KEWEENAW BAY INDIAN COMMUNITY  
TRIBAL COUNCIL

*Susan J. LaFernier*

*January 2016 Report from the Secretary to the Council/Community  
(for the February 6, 2016 Regular Meeting)*

***ANIN! We honor the greatness in you***

***Remember: "Indian Country Counts"***

***"Our People, Our Nations, Our Future"***

We continue to recognize the richness of Native American contributions, accomplishments, and sacrifices to the political, cultural, and economic life of Michigan and the United States

*For all the Earth one prayer in this New Year:  
That all can live as one and peace will reign everywhere.  
Mino-Bimaadizin "Live Well"*

The Tribal Council held the Regular Saturday Meeting on January 9, 2016 at the Ojibwa Casino Resort Conference Room and held the reorganization of the Tribal Council Executive Board. (5) Special Council meetings were also held and following are the approved motions for January. This report will be published in the KBIC "Wiikwedong Dazhi-Ojibwa" newsletter and the approved minutes can be found on the Keweenaw Bay Indian Community Website.

January 7, 2016 Special Council Meeting:

- Approved the December 7, 10, 15, 17, 28, 2015 Tribal Council meeting minutes
- Approved the high school/GED requirement policy amendment to include a certificate of completion
- Tabled the Superior National Bank ATM Reinstatement contract for more information
- Approved the Aruze Gaming America, Inc. Gaming Lease Contract for the Shoot to Win craps electronic game at the Baraga Ojibwa Casino
- Tabled the Everi Games TournEvent of Champions Gaming System Agreement for the Marquette Ojibwa Casino slot machine tournament contest pending further information

January 9, 2016 Regular Council Meeting:

- Approved the November and December 2015 President Reports (Warren “Chris” Swartz, Jr.)
- Approved the November and December 2015 Secretary Reports (Toni J. Minton)
- Approved the November and December 2015 Treasurer Reports (Doreen G. Blaker)
- Approved the November and December 2015 CEO Reports (Larry J. Denomie, III)
- Approved the October and November 2015 Department Head Reports
- Approved a donation of \$300.00 to Justin Gauthier for his professional boxing sponsorship
- Approved donations to: Marquette Senior High School Class of 2016 \$500.00 and Marquette City Fire Department from the May 2016 2% funds \$4,000.00
- Certified the December 12, 2015 General Election results and the 2 proposals regarding new casino development projects in Baraga and Marquette
- Approved the depository of funds with Superior National Bank and Wells Fargo Bank
- Approved that the check signers remain the same as last year and check signers by position related to the Tribal Court

January 14, 2016 Special Council Meeting:

- Tabled the MOA (Outpatient) with the Western U.P. Substance Abuse Services Coordinating Agency until further review by the Tribal Attorney
- Approved Resolution KB 001-2016 Cultural Resource Fund Phase Two grant application in the amount of \$50,000.00 with no matching funds required (upgrades to the Pow-Wow grounds)
- Approved the Professional Services Agreement with Dale Schmeisser, R.D. PhD. for 2016 WIC consulting services
- Approved a workers compensation legal settlement
- Approved Resolution KB 003-2016 National Indian Gaming Association Membership Renewal for \$7,500.00

- Approved Resolution KB 004-2016 Authorized Officials (Council Executive Board) to conduct business with the Office of the Special Trustee for American Indians

January 21, 2016:

- Approved the January 7, 9, 14, 2016 Tribal Council meeting minutes
- Approved the Pines Convenience Center and Smoke Shop license to purchase and sell tobacco products
- Approved the Rez Stop license to purchase and sell tobacco products
- Approved the Ojibwa Casino I in Baraga and the Ojibwa Casino II in Marquette licenses to purchase and sell tobacco products
- Approved the Chief Executive Officer (Larry J. Denomie, III) Employment Agreement for January 10, 2016-January 7, 2017 and authorized the President to sign
- Approved the Mutual Disclosure Agreement with GTS Enterprises
- Approved the Great Lakes Inter-Tribal Epidemiology Center Tribal Sub-Award Agreement for \$100,000.00 for the purpose of increasing the physical activity of the Tribal members on the Reservation and authorized the President to sign
- Waived the 1<sup>st</sup> Reading of the Proposed Waste Management Ordinance 2016-01 (2<sup>nd</sup> Reading February 18, 2016)
- Waived the 1<sup>st</sup> Reading of the Proposed Title Twenty Hazardous Substances Control Ordinance 2016-02 (2<sup>nd</sup> Reading February 18, 2016)
- Approved a donation of \$5,000.00 towards the Flint Michigan water crisis

January 25, 2016 Special Council Meeting:

- Approved a donation of \$100.00 for the Spaghetti Dinner Benefit and a Basket for the raffle for the Stockton Family who lost their home in a fire January 21, 2016

January 28, 2016 Special Council Meeting:

- Approved the recommended bid from Fox Negaunee for a 2016 Ford utility police interceptor in the amount of \$28,214.00 from the COPS Grant
- Approved the Cue Master business license renewals for billiards and lounge/food service and an alcoholic beverage license
- Appointed Diana Chaudier and Kim Klopstein to the three year terms on the Election Board and Susie Lawrence and Dawn Kemppainen to the one year terms
- Approved 44 North (formerly Employee Benefits Agency who has had a business relationship with KBIC since 1987) as agent of record to replace M3 Insurance Solutions for the group life/short term, long term disability and voluntary insurance offerings to our employees and retirees effective April 1, 2016