

KEWEENAW BAY INDIAN COMMUNITY

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

2015 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
JENNIFER MISEGAN, Vice President
TONI J. MINTON, Secretary
SUSAN J. LAFERNIER, Assistant Secretary
DOREEN G. BLAKER, Treasurer

ROBERT "R.D." CURTIS, JR.
EDDY EDWARDS
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
DON MESSER, JR.
DONALD SHALIFOE, SR.

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – FEBRUARY 7, 2015 – 9:00 A.M.**

APPROVED
2-20-15

- A. Date: February 7, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:06 a.m.
- C. Opening Song: Woodland Singers (Alden Connor, Daniel Connor, Marty Curtis, LeRoy Gauthier, Darrell Kingbird, and others)
- D. Invocation: Lord's Prayer and prayers for Community members who are ill and for those who are travelling to KBIC for the Round Dance being held at the Niiwin Akeea Community Center at 4:00 p.m. tonight.
- E. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Toni J. Minton, Secretary
Susan J. LaFernier, Assistant Secretary
Doreen G. Blaker, Treasurer
Eddy Edwards
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Don Messer, Jr.
- Absent: Robert R.D. Curtis, Jr.
Donald Shalifoe, Sr.
- F. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- G. Approval of Agenda: February 7, 2015
- Deletion: J. Department Head Reports – December 2014
- Addition: J. Secretary's Report/January 2015

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

H. For Your Information:

1. A "Thank you" from Mary Dee Shanahan
2. A "Thank you" from the Shanahan and Farley Family
3. A "Thank you" from the Duschaine Family
4. A "Thank you" from the Marquette County Health Department
5. Press Release – Superior National Bank & Trust Receives Bauer Financial 5-Star, Superior Rating

I. President's Report/January 2015 – Verbal Report

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE JANUARY 2015 PRESIDENT'S REPORT. CO-SUPPORTED BY RANDALL R. HAATAJA AND GARY F. LOONSFOOT, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

J. Treasurer's Report/January 2015 – Verbal Report

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 2015 TREASURER'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

Eddy Edwards stated his opposition: He is opposed because there are no popular referendums being held.

Vice President Misegan stated there were several purchases and contracts approved without a popular referendum and without the Council's knowledge.

K. Secretary's Report/January 2015 [available for your review]

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JANUARY 2015 SECRETARY'S REPORT. CO-SUPPORTED BY DOREEN G. BLAKER AND RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

L. Old Business:

1. Jennifer Misegan, Vice President – Senior Tax Preparation

MOTION MADE BY JENNIFER MISEGAN TO OFFER THE SENIORS THREE OPTIONS TO HAVE THEIR TAXES PREPARED; A \$50.00 VOUCHER FOR H&R BLOCK OR THE OJIBWA HOUSING AUTHORITY, AND FOR THE TRIBE TO PAY KEITH ROLOF \$40.00 PER RETURN AND PAY HIS TRAVEL FOR ONE TRIP AT THE FEDERAL GSA RATE. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr.), TWO OPPOSED (Eddy Edwards, Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

M. New Business:

1. Carole LaPointe, Health Director - Resolution KB-004-2015 Great Lakes Inter Tribal Epidemiology Center (GLITEC) Application

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-004-2015 GREAT LAKES INTER TRIBAL EPIDEMIOLOGY CENTER GRANT APPLICATION. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

2. President Swartz – Resolution KB-006-2015 National Indian Gaming Association (NIGA) Membership Renewal and Delegates

MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-006-2015 NIGA MEMBERSHIP RENEWAL AND DELEGATES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

3. Doreen G. Blaker, Treasurer –

a) Resolution KB-007-2015 –

The Keweenaw Bay Indian Community Tribal Council understands that the necessity to function and properly serve the membership is jeopardized if there must be a popular referendum vote for every \$10,000 appropriation; the Tribal Council has appropriated many funds beyond the \$10,000 limit for many decades since 1936; and is addressing this issue by calling for a Secretarial Election to address Article VI, Section 1 (h) regarding tribal appropriations over \$10,000; and thereby abolishes Resolution KB-005-2014 which authorizes the Treasurer to conduct popular referendum votes.

The Tribal Council authorizes the Election Board to define “popular referendum” and referendum; and the process for such voting to be added to the Election Ordinance; the proposed changes to the Election Ordinance will be brought forth by a member of the Tribal Council through the Legislative Process no later than May 1, 2015.

MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-007-2015. CO-SUPPORTED BY JENNIFER MISEGAN AND GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

Eddy Edwards stated his opposition: “This doesn’t allow you to vote to violate the constitution because you’re promising to change it sometime in the future. It was approved that we could vote popular referendums in a legitimate manner and get the people’s right to vote and approve these for final effect. The Council now has approved multiple expenditures and is not following the constitution.”

President Swartz responded: “There were a number of expenditures that the (former) Treasurer took upon himself not to move forward with the limits and the rules that he is talking about right now and it is this Council’s attempt to be more transparent right now in letting the people know of the expenditures in excess of the \$10,000.00.”

Vice President Misegan stated: “That is exactly true and as time goes by there are contracts coming forward that the Council was not even aware of with purchases that were not approved and the membership was not aware of them either and there were no popular referendums held on those. There were several purchases at Housing with no popular referendums held. All the non-program funds at Housing are the Tribe’s money.”

Doreen Blaker stated: “Everything that comes on behalf of this Tribe is Tribal money.”

- b) Donations February 2015 – (2) requests – A donation was already given for the first request from the Baraga Senior Class 2015 for the annual Lock-in party and by consensus, no donation was approved for the second request from All Nations Veterans Council for the Teaching Our Tradition Powwow in Brighton, Michigan.

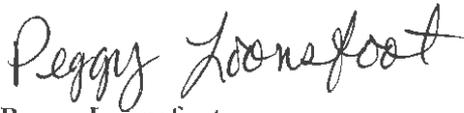
N. Closing Song: Woodland Singers (Alden Connor, Daniel Connor, Marty Curtis, LeRoy Gauthier, Darrell Kingbird, and others)

President Swartz invited everyone to the Round Dance and Darrell Kingbird explained the history of the Round Dance and side-step dance.

O. Adjournment:

MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 10:13 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Robert R.D. Curtis, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – FEBRUARY 7, 2015 – 9:00 A.M.

- A. Date: February 7, 2015
- B. Call to Order:
- C. Invocation: Lord’s Prayer
- D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Jennifer Misegan, Vice President
 ___ Toni J. Minton, Secretary
 ___ Susan J. LaFernier, Assistant Secretary
 ___ Doreen G. Blaker, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Eddy Edwards
 ___ Randall R. Haataja
 ___ Michael F. LaFernier, Sr.
 ___ Gary F. Loonsfoot, Sr.
 ___ Don Messer, Jr.
 ___ Donald Shalifoe, Sr.
- E. Declaration of Quorum:
- F. Approval of Agenda: February 7, 2015
- G. For Your Information:
1. A “Thank you” from Mary Dee Shanahan
 2. A “Thank you” from the Shanahan and Farley Family
 3. A “Thank you” from the Duschaine Family
 4. A “Thank you” from the Marquette County Health Department
 5. Press Release – Superior National Bank & Trust Receives Bauer Financial 5-Star, Superior Rating
- H. President’s Report/January 2015
- I. Treasurer’s Report/January 2015
- J. Department Head Reports – December 2014
- K. Recognize Scheduled Delegation/Individuals:

L. Old Business:

1. Jennifer Misegan, Vice President – Senior Tax Preparation

M. New Business:

1. Carole LaPointe, Health Director - Resolution KB-004-2015 Great Lakes Inter Tribal Epidemic Center (GLITEC) Application
2. President Swartz – Resolution KB-006-2015 NIGA Membership Renewal and Delegates
3. Doreen G. Blaker, Treasurer –
 - a) Resolution KB-007-2015
 - b) Donations February 2015

N. Closed Session:

O. Adjournment:

Keweenaw Bay Indian Community
Tribal Council Secretary's Report
January 2015

In January 2015 the Tribal Council held one regular meeting and two special Council meetings. Actions taken were:

January 10, 2015

- Declined the purchase of the L'Anse Warden Electrical Plant.
- Approved the purchase of a 2015 Tahoe for the THPO Department.
- Approved donations totaling \$3,250.00.
- Certified the December 13, 2014 General Election results.
- Reorganized electing: President - Warren "Chris" Swartz, Jr.; Vice-President - Jennifer Misegan; Secretary – Toni Minton; Assistant Secretary – Susan LaFernier and Treasurer- Doreen Blaker.
- Named the Depository of Funds Superior National Bank and Wells Fargo.
- Determined check signers for the Government, Enterprises and Tribal Court accounts.
- Passed Resolution KB-001-2015 which establishes the office of the Chief Executive Officer (CEO), Assistant CEO, and staff. The CEO will supervise gaming and business management. The CEO and Chief Financial Officer will report to the Tribal Council.
- Passed Resolution KB-002-2015 which calls for Secretarial Election to amend Article VI (h) of the Constitution to require a referendum vote for appropriations in excess of \$500,000.
- Approved a proposal in the amount of \$38,000 from Gaming Market Advisors for a feasibility study for Baraga and Marquette.
- Scheduled Grievance Hearing #001-15 for 1/22/15.
- Proposed a budget timeline schedule.
- Appointed Larry Denomie Interim CEO and Sarah Maki Interim Assistant CEO.
- Approved the Upper Peninsula Engineers and Architects, Inc. Professional Services Short Form Agreement to Conduct a Non-Motorized Trail Feasibility Study to Connect L'Anse and Baraga Communities with no cash match.
- Approved Resolution KB-003-2015 Parkila Land Acquisition on Pinery Road.
- Approved the purchase of a submersible pump for the Zeba Pump house from Wittock.
- Approved Resolution KB-005-2015 Tribal Transportation Improvement Plan 2015-2018.
- Approved the K-9 Unit Proposal.
- Amended the Government and Enterprise Employee Manuals to read as they were on 12/31/13 but to include Leave Sharing amendments made 12/18/14.
- Approved the General Manager Job Description.
- Approved the turn-over of our former Police K-9 to her Handler.
- Approved the Newsletter Independent Contract agreement with Lauri Denomie.
- Held Grievance Hearing #002-2015 and voted to overturn the employee's termination, grant back pay and remove the discipline from the employees file.

- Held Grievance Hearing #001-2015 and voted to overturn the employee's termination and granted relief requested reducing back pay by unemployment benefits received.
- Approved the Professional Services Agreement with Dale Schmeisser for WIC.
- Approved the Employment Agreement with Nurse Practitioner Jody Jinkerson.
- Approved a Services Agreement with Rickard Law Office.
- Approved a Liquor License for The Pines.
- Activated the termination clause of Dr. Benson's contract and agreed to draft a new contract ASAP to make necessary changes.

In a January 23, 2015 poll the Executive Board approved the wage of the Interim CEO and approved the temporary appointment of William Seppanen to Chief of Police.

Respectfully Submitted,

Toni J. Minton