

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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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
FINANCE/SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
FRIDAY – FEBRUARY 13, 2015 – 9:00 A.M.**

 **APPROVED**
2-27-15

- A. Date: February 13, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:10 a.m.
- C. Invocation: Ojibwa Prayer by Donald Shalifoe, Sr./Lord's Prayer and prayers for Community Members
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left 10:35 – 11:19 a.m., left at 3:57 p.m.)
Jennifer Misegan, Vice President
Toni J. Minton, Secretary (arrived at 10:04 a.m.)
Susan J. LaFernier, Assistant Secretary
Doreen G. Blaker, Treasurer (left 1:37 – 3:25 p.m.)
Robert R.D. Curtis, Jr.
Eddy Edwards (left at 4:01 p.m.)
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Don Messer, Jr. (left at 4:06 p.m.)
Donald Shalifoe, Sr. (left at 10:21 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 13, 2015
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|-----------|---------------|--|
| Deletion: | New Business- | 1. Danielle Webb, Assistant Tribal Attorney – g) Jerry Lee Curtis – Inter-Tribal Council of Michigan MOU ATR Program |
| Change: | New Business- | 2. Jennifer Misegan, Vice President – b) Request of the Ojibwa Housing Authority to 3. President Swartz |
| Addition: | New Business- | 4. Don Messer, Jr. – Kiosk Support Costs |

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA 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., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

G. For Your Information:

1. KBIC Constitutional Committee Meeting Dates (February 3, 10, 17, 24, 2015 alternating at the Zeba Community Center and Ojibwa Senior Center) – for the purpose of establishing a Judicial Branch in the Constitution and insuring a system of checks and balance.

H. Approval of Meeting Minutes:

1. January 10, 2015

MOTION MADE BY EDDY EDWARDS TO APPROVE THE JANUARY 10, 2015 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

2. January 15, 2015

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE JANUARY 15, 2015 MEETING MINUTES WITH CHANGES. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

3. January 29, 2015

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE JANUARY 29, 2015 MEETING MINUTES WITH CHANGES. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Eddy Edwards), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

I. New Business:

1. Danielle Webb, Assistant Tribal Attorney –
 - a) Ojibwa BP Gas Station, Ojibwa Carwash, and Ojibwa Laundromat Business License Renewal for the Ojibwa Housing Authority

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE OJIBWA BP GAS STATION, OJIBWA CARWASH, AND OJIBWA LAUNDROMAT BUSINESS LICENSE RENEWAL FOR THE OJIBWA HOUSING AUTHORITY. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

b) Ojibwa BP Gas Station Liquor License Renewal for the Ojibwa Housing Authority

MOTION MADE BY DON MESSER, JR. TO APPROVE THE OJIBWA BP GAS STATION LIQUOR LICENSE RENEWAL FOR THE OJIBWA HOUSING AUTHORITY. CO-SUPPORTED BY GARY F. LOONSFOOT, SR. AND DONALD SHALIFOE, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Donald Shalifoe, Sr.), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

c) Ojibwa BP Gas Station Tobacco License Renewal for the Ojibwa Housing Authority

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE OJIBWA BP GAS STATION TOBACCO LICENSE RENEWAL PROVIDED THAT THE FULL TAX AMOUNT THAT IS DUE TO THE TRIBAL MEMBER IS GIVEN TO THEM AT THE TIME OF PURCHASE EFFECTIVE TODAY. CO-SUPPORTED BY SUSAN J. LAFERNIER AND DONALD SHALIFOE, SR.

Jennifer Misegan stated BP is collecting a \$2.00 refund from the State of Michigan; they give the Tribal member 50 cents and keep \$1.50.

Gary Loonsfoot, Sr. stated he misunderstood, he believed it was not a tax.

President Swartz asked if the rest of the Ojibwa Housing Authority Board of Commissioners are aware of this.

MOTION MADE BY DOREEN G. BLAKER TO TABLE THE OJIBWA BP GAS STATION TOBACCO LICENSE RENEWAL UNTIL THE BOARD OF COMMISSIONERS OF THE OJIBWA HOUSING AUTHORITY COME BEFORE THE COUNCIL TO DISCUSS BP'S APPLICATION FOR A TOBACCO LICENSE. SUPPORTED BY GARY F. LOONSFOOT, SR. FIVE IN FAVOR (Susan J. LaFerner, Doreen G. Blaker, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), THREE OPPOSED (Jennifer Misegan, Robert R.D. Curtis, Jr., Eddy Edwards), TWO ABSTAINING (Randall R. Haataja, Donald Shalifoe, Sr.), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

d) Rez Stop Business License Application for the Ojibwa Housing Authority

MOTION MADE BY DON MESSER, JR. TO APPROVE THE REZ STOP BUSINESS LICENSE APPLICATION FOR THE OJIBWA HOUSING AUTHORITY. SUPPORTED BY DONALD SHALIFOE, SR. EIGHT IN FAVOR (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Susan J. LaFernier), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

e) Rez Stop Liquor License Application for the Ojibwa Housing Authority (no liquor liability certificate of insurance)

MOTION MADE BY DOREEN G. BLAKER TO TABLE THE REZ STOP LIQUOR LICENSE APPLICATION UNTIL A CERTIFICATE OF LIABILITY INSURANCE IS RECEIVED FROM THE OJIBWA HOUSING AUTHORITY. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

f) Rez Stop Tobacco License Application for the Ojibwa Housing Authority

MOTION MADE BY DOREEN G. BLAKER TO TABLE THE REZ STOP TOBACCO LICENSE APPLICATION FOR THE OJIBWA HOUSING AUTHORITY UNTIL THE BOARD OF COMMISSIONERS COMES BEFORE THE COUNCIL TO DISCUSS IT. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

2. Jennifer Misegan, Vice President – Community Background Investigation Policy

Jennifer presented an opinion letter from the Field Solicitor of the Department of the Interior, dated June 13, 2013, regarding the minimum standards of character in the Community Background Investigation Policy.

Toni Minton arrived at 10:04 a.m.

MOTION MADE BY JENNIFER MISEGAN TO AMEND THE BACKGROUND POLICY BY REMOVING THE COMMA ON PAGE 15 AND MAKE IT CLEAR THAT IT IS ANY FELONIOUS OFFENSE OR TWO (2) OR MORE MISDEMEANOR OFFENSES INVOLVING CRIMES LISTED TO THE COMMUNITY BACKGROUND INVESTIGATION POLICY. SUPPORTED BY EDDY EDWARDS. ALL IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

3. President Swartz - Request of the Ojibwa Housing Authority

President Swartz stated that Robert R.D. Curtis, OHA Board of Commissioners Chairman, is requesting a motion in order for the OHA Board to provide the information that was requested.

MOTION MADE BY TONI J. MINTON TO HAVE THE OJIBWA HOUSING AUTHORITY BOARD PROVIDE THE DOCUMENTS REQUESTED BY THE TRIBAL PRESIDENT. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), ABSENT - 0, MOTION CARRIED.

Toni Minton stated there is a standing motion from a few years ago that OHA will turn in monthly financials.

4. Don Messer, Jr., Interim General Manager Ojibwa Casino Resort – Kiosk Support Costs

The Council requested to see the agreements and the plan for the current ATM's. Don Messer will bring the agreements at a later date.

Donald Shalifoe, Sr. left at 10:21 a.m.

J. Closed Session:

1. Carole LaPointe, Health Director - Joseph Zobro, M.D., Physician's Employment Agreement
2. Budget Reviews – [Open to KBIC Members]
 - Jean Jokinen, Grants (not present) [Reschedule]
 - a) Carole LaPointe/Kathy Mayo, DHHS
 - b) George Decota, Fuel Projects Plan
 - c) Jerry Lee Curtis, Substance Abuse Programs
John Hebert, DOJ Budget (not present) [Reschedule]
 - d) Eddy Edwards, Ojibwa Housing Authority
 - e) Don Messer, Baraga Casino/Sharon Misegan, Marquette Casino
Bruce LaPointe, Public Works (not present) [Reschedule]
 - f) Francis "Hosh" LaPointe, CFO

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:27 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.

Break: 10:28 – 10:36 a.m.

President Swartz left 10:35 – 11:19 a.m.

Lunch: 11:59 a.m. – 1:07 p.m.

Mike LaFernier, Sr. returned from lunch at 1:08 p.m.

Robert R.D. Curtis, Jr. returned from lunch at 1:13 p.m.

Doreen Blaker left at 1:37 p.m.

Break: 2:10 – 2:22 p.m.

Doreen Blaker returned at 3:25 p.m.

President Swartz left at 3:57 p.m. (Vice President Misegan is Chairing)

Eddy Edwards left at 4:01 p.m.

Don Messer, Jr. left at 4:06 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 4:25 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

Joseph Zobro, M.D., Physician's Employment Agreement – effective June 1, 2014 – June 1, 2017

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE PHYSICIAN'S EMPLOYMENT AGREEMENT WITH JOSEPH ZOBRO, M.D. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 4:27 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Loonsfoot". The signature is written in black ink and is positioned above the typed name and title.

Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
FINANCE/SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
FRIDAY – FEBRUARY 13, 2015 – 9:00 A.M.

A. Date: February 13, 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 13, 2015

G. For Your Information:

1. KBIC Constitutional Committee Meeting Dates

H. Approval of Meeting Minutes:

1. January 10, 2015
2. January 15, 2015
3. January 29, 2015

I. New Business:

1. Danielle Webb, Assistant Tribal Attorney -
 - a) Ojibwa BP Gas Station, Ojibwa Carwash, and Ojibwa Laundromat Business License Renewal
 - b) Ojibwa BP Gas Station Liquor License Renewal
 - c) Ojibwa BP Gas Station Tobacco License Renewal

- d) Rez Stop Business License Application
 - e) Rez Stop Liquor License Application
 - f) Rez Stop Tobacco License Application
 - g) Jerry Lee Curtis - Inter-Tribal Council of Michigan., MOU ATR Program
2. Jennifer Misegan, Vice President –
- a) Background Policy
 - b) Request of the Ojibwa Housing Authority

J. Closed Session:

- 1. Carole LaPointe, Health Director - Joseph Zobro, M.D., Physician's Employment Agreement
- 2. Budget Reviews – [Open to KBIC Members]
 - a) Jean Jokinen, Grants 9:45 – 10:00 a.m.
 - b) George Decota, Fuel Projects Plan 10:00 – 10:15 a.m.
Break 10:15 – 10:30 a.m.
 - c) Carole LaPointe/Kathy Mayo, DHHS 10:30 – 11:30 a.m.
 - d) Jerry Lee Curtis, Substance Abuse Programs 11:30 – 11:45 a.m.
 - e) John Hebert, DOJ Budget 11:45 a.m. – 12:00 p.m.
Lunch 12:00 – 1:00 p.m.
 - f) Ojibwa Housing Authority 1:00 – 2:00 p.m.
Break 2:00 – 2:15 p.m.
 - g) Don Messer, Baraga Casino/Sharon Misegan, Marquette Casino 2:15 – 3:15 p.m.
 - h) Bruce LaPointe, Public Works 3:15 – 3:45 p.m.
 - i) Francis "Hosh" LaPointe, CFO 3:45 – 4:15 p.m.

K. Adjournment: