

# KEWEENAW BAY INDIAN COMMUNITY

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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 SPECIAL COUNCIL MEETING TRIBAL CENTER CONFERENCE ROOM WEDNESDAY – MARCH 2, 2016 – 1:00 P.M.

APPROVED  
3-10-16

- A. Date: March 2, 2016
- B. Call to Order: President Swartz called the meeting to order at 1:02 p.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  
Randall R. Haataja  
Michael F. LaFernier, Sr. (arrived at 1:07 p.m.)  
Gary F. Loonsfoot, Sr.  
Donald Shalifoe, Sr.  
Absent: Robert R.D. Curtis, Jr.  
Fred Dakota  
Eddy Edwards
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 2, 2016

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA. SUPPORTED BY RANDALL R. HAATAJA. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.**

- G. Closed Session:
1. Jacob P. Spear, Attorney Interview

**MOTION MADE BY DOREEN G. BLAKER TO GO INTO CLOSED SESSION AT 1:05 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.**

**Michael LaFernier, Sr. arrived at 1:07 p.m.**

**MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 1:40 P.M. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards), MOTION CARRIED.**

H. Old Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor/Robert R.D. Curtis, Jr. (not present) – Western Upper Peninsula Substance Abuse Services Coordinating Agency, Inc. Memorandum of Agreement for Substance Abuse Services to the U.S. District Court Offenders (for Baraga County) for Outpatient Counseling and Personalized Breathalyzer Testing  
October 1, 2015 – September 30, 2016

Danielle reported that sections of the agreement have been crossed out that cannot be performed per Robert R.D. Curtis, Jr. as they do not have the qualifications to do the assessments.

This is a cost reimbursement agreement. \$11.00 per PBT utilizing the Vendor's Breathalyzer unit (\$7.00 per PBT utilizing the CA's Breathalyzer unit) and \$85.00 per approved Individual Counseling Session.

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND THE WESTERN UPPER PENINSULA SUBSTANCE ABUSE SERVICES COORDINATING AGENCY, INC. FOR SUBSTANCE ABUSE SERVICES TO THE U.S. DISTRICT COURT OFFENDERS FOR OUTPATIENT COUNSELING AND PERSONALIZED BREATHALYZER TESTING. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards), MOTION CARRIED.**

I. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor - Brandon T. Rickard Attorney Services Agreement for the Tribal Court Public Defender

Joseph O'Leary, Baraga County Prosecuting Attorney, reviewed the agreement. The Council would like to discuss the agreement further with Bradley Dakota, Chief Judge, present.

2. Francis LaPointe, CFO -- Workers Compensation Bids

The Accident Fund renewal bid is \$180,696.00 and one other bid was placed from Amerind Risk for \$175,544.00. It was recommended to remain with Accident Fund in order to avoid an administrative burden in switching insurance companies.

Accident Fund is willing to work with the Tribe regarding the Michigan State Tax charge and the Council directed the CFO to follow up with Jim Nardi, Human Resources Director, to ensure Tribal Members are not charged the tax.

**MOTION MADE BY TONI J. MINTON TO ACCEPT THE RENEWAL BID FROM ACCIDENT FUND FOR WORKERS COMP. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards), MOTION CARRIED.**

Bradley Dakota, Chief Judge - Brandon T. Rickard Attorney Services Agreement

The Council had changes to the Services Agreement and inserted language related to Brandon Rickard representing anyone that would be involved in a lawsuit against KBIC. Danielle Webb will contact Joseph O'Leary to make the changes to the agreement by Friday, March 4, 2016 and a poll will be conducted by Monday, March 7, 2016.

Jacob P. Spear, Attorney Interview

**MOTION MADE BY JENNIFER MISEGAN TO OFFER THE ATTORNEY POSITION TO JACOB SPEAR. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards), MOTION CARRIED.**

J. Adjournment:

**MOTION MADE BY TONI J. MINTON TO ADJOURN AT 2:21 P.M. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
WEDNESDAY – MARCH 2, 2016 – 1:00 P.M.**

A. Date: March 2, 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: March 2, 2016

G. Old Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor/Robert R.D. Curtis, Jr. -- Western Upper Peninsula Substance Abuse Services Coordinating Agency, Inc. Memorandum of Agreement for Substance Abuse Services to U.S. District Court Offenders

H. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor - Brandon T. Rickard Attorney Services Agreement
2. Francis LaPointe, CFO – Workers Compensation Bids

I. Closed Session:

1. Jacob Spear, Attorney Interview – **1:00 p.m.**

J. Adjournment: