

KEWEENAW BAY INDIAN COMMUNITY

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

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

MINUTES KEWEENAW BAY INDIAN COMMUNITY SPECIAL COUNCIL MEETING OJIBWA CASINO RESORT CONFERENCE ROOM THURSDAY – MARCH 12, 2015 – 9:00 A.M.

APPROVED

4-16-15

- A. Date: March 12, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:11 a.m.
- C. Invocation: Lord's Prayer and prayers for Allen Shelifoe
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President (left 10:14 – 11:52 a.m.)
Toni J. Minton, Secretary
Susan J. LaFernier, Assistant Secretary
Doreen G. Blaker, Treasurer (left 9:28 – 9:55 a.m., left 10:40 a.m. – 12:00 p.m., left 2:58 – 3:55 p.m., left at 4:28 p.m.)
Robert R.D. Curtis, Jr. (arrived at 9:59 a.m., left at 10:54 a.m.)
Eddy Edwards (arrived at 9:22 a.m., left at 2:43 p.m.)
Randall R. Haataja (left at 2:44 p.m.)
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Don Messer, Jr.
Donald Shalifoe, Sr. (arrived at 9:15 a.m., left at 11:55 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 12, 2015
- Additions: FYI- 2. Casino Gambling/Participation for Casino Employee Spouses
3. Ojibwa Housing Authority Update
Closed Session- 2. Larry Denomie III, CEO – Personnel Issues

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. 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.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

Donald Shalifoe, Sr. arrived at 9:15 a.m.

G. For Your Information:

1. Grant Report from Jean Jokinen (more information was requested such as the dates of each grant application and the names of the individual who wrote each grant)
2. Casino Promotions Participation Request for Casino Employee Spouses
3. Ojibwa Housing Authority Update – President Swartz received the information Council requested from Eddy Edwards, Housing Director, and the documents are in his office.

Eddy Edwards arrived at 9:22 a.m.

H. Approval of Meeting Minutes:

1. February 20, 2015

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE FEBRUARY 20, 2015 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. NINE 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., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Doreen Blaker left at 9:28 a.m.

2. October 3, 2013 – December 19, 2013

MOTION MADE BY TONI J. MINTON TO APPROVE THE OCTOBER 3, 2013 THROUGH DECEMBER 19, 2013 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Randall R. Haataja, Michael F. LaFernier, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, TWO ABSTAINING (Eddy Edwards, Gary F. Loonsfoot, Sr.), TWO ABSENT (Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

I. Old Business:

1. Jason Ayres, Realty Officer - Resolution KB-014-2015 Aanikoosing Inc. Marquette Gas Station Property Lease (to extend the lease from its current 5-year lease to a 25-year lease)
Replaces the lease dated July 24, 2014

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-014-2015 AANIKOOSING INC. MARQUETTE GAS STATION PROPERTY LEASE. CO- SUPPORTED BY SUSAN J. LAFERNIER AND DON MESSER, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

J. New Business:

1. Char Spruce, Environmental Specialist/Katherine Kruse, Environmental Response Program Specialist – Waste Management on the KBIC L'Anse Reservation PowerPoint

Doreen Blaker returned at 9:55 a.m.

Robert R.D. Curtis, Jr. arrived at 9:59 a.m.

MOTION MADE BY JENNIFER MISEGAN TO CREATE A WASTE MANAGEMENT WORK GROUP TO WORK ON AN ORDINANCE AND REGULATIONS AND FOR THE MEMBERS TO BE FROM THE NATURAL RESOURCES DEPARTMENT, TRANSFER STATION, TRIBAL POLICE, THPO, TWO COUNCIL REPRESENTATIVES, AND THE REALTY DEPARTMENT. SUPPORTED BY SUSAN J. LAFERNIER. 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.

Jennifer Misegan left at 10:14 a.m.

2. Lori Sherman, Natural Resources Director/Danielle Webb, Assistant Tribal Attorney –
 - a) Short Cressman & Burgess PLLC Legal Services Agreement (for the development of a Community Waste Management Ordinance – see attachment 1) by December 15, 2015 and Community Waste Management Program

MOTION MADE BY DOREEN G. BLAKER TO APPROVE SHORT CRESSMAN & BURGESS PLLC LEGAL SERVICES AGREEMENT. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (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, ONE ABSENT (Jennifer Misegan), MOTION CARRIED.

- b) Midwest Lake Management, Inc. Services Agreement/Gene Mensch, Fisheries and Wildlife Biologist to provide electrofishing equipment installation(s) and retro fitting for the previous GLIFW boat at the Hatchery

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE MIDWEST LAKE MANAGEMENT, INC. SERVICES AGREEMENT. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (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, ONE ABSENT (Jennifer Misegan), MOTION CARRIED.

3. Susan LaFerner, Assistant Secretary – State (DEQ) Recycling Grant 2015 Community Pollution Prevention Grant Program. To assist communities beginning a recycling effort, the DEQ is offering up to \$600,000.00 during fiscal year 2015. Council requested Bruce LaPointe and Dan Connor attend a meeting to discuss. The grant is due on April 1st.

Doreen Blaker left at 10:40 a.m.

MOTION MADE BY SUSAN J. LAFERNIER TO CONTINUE REVIEWING THE STATE RECYCLING GRANT AND BRING BACK THE INFORMATION THAT WAS REQUESTED. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Toni J. Minton, Susan J. LaFerner, 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, TWO ABSENT (Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.

4. Carole LaPointe, Health Administrator – Michigan Roundtable Statewide Racial Equity Coalition Partner MOU (Develop with the Michigan Roundtable a local and statewide collaborative structure to create sustainable, equitable change in Michigan by working in collective community engagement towards racial equity visibility in policy, practice and messaging). \$17,250.00

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MICHIGAN ROUNDTABLE STATEWIDE RACIAL EQUITY COALITION PARTNER MEMORANDUM OF UNDERSTANDING. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Toni J. Minton, Susan J. LaFerner, 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, TWO ABSENT (Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.

Break: 10:54 – 11:14 a.m. (Robert R.D. Curtis, Jr. left)

5. Larry Denomie III, CEO –

- a) Personnel Policy Amendments for the Government and Enterprise Regarding Part Time Status Employee Work Hours. The proposed changes are to correctly list the number of hours a part-time employee can work in order for the Tribe to be in compliance with the Affordable Care Act requirements and changes the hours from less than 36 to less than 30.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE AMENDMENTS TO THE PERSONNEL POLICY FOR THE GOVERNMENT AND ENTERPRISES REGARDING EMPLOYEES CLASSIFIED AS PART TIME. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Toni J. Minton, Susan J. LaFerner, Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Doreen G. Blaker, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) New Hiring Policy/Procedures for the Enterprises and Government – Review and discussion

Jennifer Misegan returned at 11:52 a.m.

Lunch: 11:55 a.m. – 1:09 p.m. (Donald Shalifoe, Sr. left)

Doreen Blaker returned at 12:00 p.m.

6. Pam Queoff, M3 Insurance Account Executive – Annual Insurance Stewardship Report

Eddy Edwards returned from lunch at 1:21 p.m.

Pam updated the Council on KBIC's insurance program. Rates should decrease considering the property and liability loss ratios were down over the past five years.

She addressed the exposures to computer hacking and gas tank coverage, which she will send an application to the CEO's office, along with information on Mutual Aid Agreements for Police Officers.

Pam recommended KBIC pursue insurance quotes from Amerind. (They are going to start writing for tribal governments and casinos).

[Return to New Hiring Policy/Procedures Review]

Break: 2:10 – 2:16 p.m.

Eddy Edwards left at 2:43 p.m.

Randall Haataja left at 2:44 p.m.

Larry Denomie will bring back for Saturday's meeting with changes discussed.

Doreen Blaker left at 2:58 p.m.

K. Closed Session:

1. Dan MacNeil, Tribal Attorney – Attorney Report
2. Larry Denomie III, CEO – Personnel Issues
3. FY2015 Budget

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 2:58 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Donald Shalifoe, Sr.), MOTION CARRIED.

Doreen Blaker returned at 3:55 p.m.

Don Messer, Jr. left 4:05 – 4:17 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 4:28 P.M. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Donald Shalifoe, Sr.), MOTION CARRIED.

FY2015 Budget --

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE FY2015 BUDGET AS PRESENTED. SUPPORTED BY DON MESSER, JR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Michael F. LaFernier, Sr., Don Messer, Jr.), ONE OPPOSED (Gary F. Loonsfoot, Sr.), ABSTAINING - 0, FOUR ABSENT (Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Donald Shalifoe, Sr.), MOTION CARRIED.

Gary Loonsfoot, Sr. stated his opposition: "With a drop in casino revenue for a second straight year we can't afford a 3% raise."

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN. SUPPORTED BY MICHAEL F. LAFERNIER, SR.

Jennifer Misegan rescinded her motion.

Doreen Blaker left at 4:28 p.m.

Common Interest Confidentiality Agreement --

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE CONFIDENTIALITY COMMON INTEREST AGREEMENT BETWEEN THE DEPARTMENT OF INTERIOR AND THE KEWEENAW BAY INDIAN COMMUNITY. SUPPORTED BY DON MESSER, JR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Donald Shalifoe, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 4:30 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Donald Shalifoe, Sr.), MOTION CARRIED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Loonsfoot".

Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – MARCH 12, 2015 – 9:00 A.M.

A. Date: March 12, 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: March 12, 2015

G. For Your Information:

1. Grant Report from Jean Jokinen

H. Approval of Meeting Minutes:

1. February 20, 2015
2. October 3, 2013 – December 19, 2013

I. Old Business:

1. Jason Ayres, Realty Officer - Resolution KB-014-2015 Aanikoosing Inc. Marquette Gas Station Property Lease

J. New Business:

1. Char Spruce, Environmental Specialist/Katherine Kruse, Environmental Response Program Specialist – Waste Management PowerPoint
2. Lori Sherman, Natural Resources Director/Danielle Webb, Assistant Tribal Attorney –
 - a) Short Cressman & Burgess PLLC Legal Services Agreement
 - b) Midwest Lake Management, Inc. Services Agreement
3. Susan LaFernier, Assistant Secretary – State Recycling Grant
4. Carole LaPointe, Health Administrator – Michigan Roundtable Statewide Racial Equity Coalition Partner MOU
5. Larry Denomie III, CEO –
 - a) Personnel Policy Amendments for the Government and Enterprise Regarding Part Time Status Employee Work Hours
 - b) New Hiring Policy/Procedure
6. Pam Queoff, M3 Insurance Account Executive – Annual Insurance Stewardship Report – **1:00 p.m.**

K. Closed Session:

1. Dan MacNeil, Tribal Attorney – Attorney Report
2. FY2015 Budget

L. Adjournment: