

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 SPECIAL COUNCIL MEETING TRIBAL CENTER CONFERENCE ROOM FRIDAY – MARCH 18, 2016 – 1:00 P.M.

APPROVED
3-31-16

- A. Date: March 18, 2016
- B. Call to Order: President Swartz called the meeting to order at 1:06 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
Fred Dakota
Eddy Edwards
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Donald Shalifoe, Sr.

Absent: Robert R.D. Curtis, Jr.

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 18, 2016

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

G. Recognize Scheduled Delegation/Individuals:

1. Lon Johnson, Democratic Candidate for Michigan's First Congressional District "A stronger voice for the U.P. and Northern Michigan" (Dan Benishek has decided to retire)

MOTION MADE BY FRED DAKOTA TO APPROVE A CONTRIBUTION OF \$5,400.00 TO THE CAMPAIGN OF LON JOHNSON RUNNING FOR U.S. CONGRESS FIRST DISTRICT. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

H. For Your Information:

1. For Review: Use and Security LEIN and NCIC and Use and Security CJIN and LEIN Networks Policy and Procedures

I. Old Business:

1. Justin Gauthier – Woodland Youth Boxing Program Equipment for the Zeba Hall

MOTION MADE BY TONI J. MINTON TO APPROVE \$2,500.00 TO THE WOODLAND BOXING PROGRAM FOR EQUIPMENT PURCHASES. SUPPORTED BY DONALD SHALIFOE, SR.

MOTION MADE BY EDDY EDWARDS TO TABLE THE REQUEST UNTIL WABANUNGOQUAY ALAKAYAK IS PRESENT.

The motion died for lack of support.

MOTION MADE BY TONI J. MINTON TO APPROVE \$2,494.97 TO THE WOODLAND BOXING PROGRAM FOR EQUIPMENT PURCHASES. SUPPORTED BY DONALD SHALIFOE, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

J. New Business:

1. Danielle Webb, Tribal Attorney/Tribal Prosecutor –
 - a) Evelyn Ravindran, NRD Hatchery-Nursery Manager – Altronex Control Systems Tier III Services Agreement for a new well pump \$19,266.00

January 14, 2016 – February 19, 2016 (end date change needed)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE ALTRONEX CONTROL SYSTEMS TIER III SERVICES AGREEMENT PENDING THE DATE CHANGES. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) Eliason Law Office, P.C. (Hancock, MI) Legal Services Agreement to review, draft, revise, negotiate, and finalize contracts and related assignments

March 24, 2016 – March 23, 2017

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE LEGAL SERVICES AGREEMENT BETWEEN KBIC AND ELIASON LAW OFFICE, P.C. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- 2. Duane Misegan, Chief of Police – K-9 Patrol Vehicle Bids (3)

MOTION MADE BY TONI J. MINTON TO APPROVE THE BID FROM SIGNATURE FORD IN THE AMOUNT OF \$26,723.00 FOR A 2016 FORD POLICE INTERCEPTOR UTILITY AWD. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- 3. President Swartz –

- a) Resolution KB-011-2016 Opposition to the Diversion of Great Lakes Water to Waukesha, WI. Waukesha needs to address unacceptable levels of radium in its groundwater drinking supply which may return to the Great Lakes.

MOTION MADE BY DONALD SHALIFOE, SR. TO APPROVE RESOLUTION KB-011-2016 OPPOSITION TO THE DIVERSION OF GREAT LAKES WATER TO WAUKESHA, WISCONSIN. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) ICWA Committee Selection

(2) Seats available for (3) Year terms

One application was received. The Council consensus was to re-advertise for the remaining seat.

MOTION MADE BY SUSAN J. LAFERNIER TO APPOINT VICKI DOMPIER TO THE ICWA COMMITTEE. CO-SUPPORTED BY DOREEN G. BLAKER AND MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

K. Closed Session:

1. Honorable Violet M. Friisvall Ayres, Associate Judge – Brandon T. Rickard D/B/A Rickard Law Office Services Agreement
2. Andrew Chosa, Aanikoosing Inc./Michelle Hoggard/Roberta Jondreau (not present) - Ojibwa Express Convenience Proposal
3. Larry Denomie III, CEO –
 - a) Amendment to Casino General Manager Employment Agreement
 - b) Employee Issue

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 2:28 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Break: 2:29 – 2:41 p.m.

Doreen Blaker left 3:32 -3:42 p.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 3:58 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Brandon T. Rickard D/B/A Rickard Law Office Services Agreement for the Tribal Court Public Defender until December 31, 2016

MOTION MADE BY TONI J. MINTON TO APPROVE THE ATTORNEY SERVICES AGREEMENT WITH BRANDON T. RICKARD. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Amendment to Casino General Manager Employment Agreement regarding salary effective February 7, 2016

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AMENDMENT TO THE CASINO GENERAL MANAGER EMPLOYMENT AGREEMENT. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), ONE OPPOSED (Donald Shalifoe, Sr.), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Employee Issue

MOTION MADE BY JENNIFER MISEGAN TO TERMINATE THE EMPLOYMENT AGREEMENT WITH DR. PETER BENSON FOR CAUSE, EFFECTIVE MONDAY, MARCH 21, 2016. SUPPORTED BY DONALD SHALIFOE, SR. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 4:02 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFerner, Toni J. Minton, Doreen G. Blaker, Fred Dakota, Eddy Edwards, Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
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SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
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A. Date: March 18, 2016

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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 18, 2016

G. Recognize Scheduled Delegation/Individuals:

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- b) Eliason Law Office, P.C. Legal Services Agreement
2. Duane Misegan, Chief of Police – K-9 Patrol Vehicle Bids (3)
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 - a) Amendment to Casino General Manager Employment Agreement
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L. Adjournment: