

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, JR.
DON MESSER, JR.
DONALD SHALIFOE, SR.

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT/TRIBAL CENTER CONFERENCE ROOMS
THURSDAY – MARCH 26, 2015 – 9:00 A.M.**

 **APPROVED**
4-16-15

- A. Date: March 26, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President (left 10:17 – 11:06 a.m.)
Toni J. Minton, Secretary
Susan J. LaFernier, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr. (left at 12:25 p.m.)
Randall R. Haataja (left at 12:25 p.m.)
Michael F. LaFernier, Sr. (arrived at 9:41 a.m.)
Gary F. Loonsfoot, Sr.
Don Messer, Jr.
Donald Shalifoe, Sr. (arrived at 9:12 a.m., left at 12:25 p.m.)
Absent: Eddy Edwards
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 26, 2015

Donald Shalifoe, Sr. arrived at 9:12 a.m.

- Additions: FYI- 4. Approved FY2015 Budget Book
New Business- 4. President Swartz – c) Donation Request for Funeral Expenses
6. Larry Denomie III, CEO – Selection Guidelines for the Hiring Procedure
Closed Session- 2. Jennifer Misegan, Vice President – b) General Manager Applications for Review/Jim Nardi, Human Resources Director
3. Larry Denomie III, CEO – GMA Conference Call

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

G. For Your Information:

1. BIA Midwest Regional Office in receipt of Proposal and Resolution KB-009-2015 Law Enforcement Program on March 19, 2015
2. GLIFWC Biological and Commercial Catch Statistics from the Chippewa Inter-Tribal Gill Net Fishery within Michigan Waters of Lake Superior During 2013 - Administrative Report 2013
3. Gary Loonsfoot, Sr. - Forest Invasive Regulatory Meeting Report Red Cliff, Wisconsin 3/18/15
4. Approved FY2015 Budget Book (Kim Klopstein will hand out later in the day)

H. Old Business:

1. Lori Sherman, Natural Resources Director - Name Selection for 12th Annual Kids Fishing Derby scheduled for June 27, 2015

The 12th Annual Kids Fishing Derby will be named in honor of Patrick "Hummer" LaFERNIER and John LaFERNIER, Sr.

I. New Business:

1. Lori Sherman, Natural Resources Director/Danielle Webb, Assistant Tribal Attorney –
 - a) Great Lakes Indian Fish and Wildlife Commission Memorandum of Agreement for USGS Services - to provide funding for the Tribe to obtain the services of the United States Geological Survey (USGS) for stream gauging

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION AND KBIC FOR THE U.S. GEOLOGICAL SURVEY JOINT FUNDING AGREEMENT FOR THE STREAM GAUGING. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFERNIER, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

- b) U.S. Department of Interior Joint Funding Agreement for Water Resources Investigations - for water quality monitoring and stream gauging on the Silver River, and Yellow Dog, Salmon Trout, and East Branch Salmon Trout Rivers

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE U.S. DEPARTMENT OF INTERIOR U.S. GEOLOGICAL SURVEY JOINT FUNDING AGREEMENT WITH KBIC FOR THE STREAM GAUGING ON THE SILVER RIVER, AND THE YELLOW DOG, SALMON TROUT, AND EAST BRANCH SALMON TROUT RIVERS. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. Kathy Mayo, Community Health Director/Danielle Webb, Assistant Tribal Attorney –

- a) Inter-Tribal Council of Michigan Memorandum of Understanding Health Innovation Grant for Preventing Prescription Drug Abuse in a Tribal Community Project \$5,000.00

MOTION MADE BY TONI J. MINTON TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND THE INTER-TRIBAL COUNCIL OF MICHIGAN FOR THE PREVENTION OF PRESCRIPTION DRUG ABUSE PROJECT. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

- b) Inter-Tribal Council of Michigan Memorandum of Agreement Michigan Cancer Consortium to Reduce Smoking Rates Among Youth ages 13-18 \$8,000.00

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND THE INTER-TRIBAL COUNCIL OF MICHIGAN UNDER THE MICHIGAN CANCER CONSORTIUM CONTRACT #695 TO REDUCE SMOKING RATES AMONG YOUTH. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

- c) Michigan Public Health Institute Agreement (MPHI) - to assist the Keweenaw Bay Department of Health and Human Services with the following activities on this project: share tools and provide virtual technical assistance for mission, vision, and value statement development and data/information gathering, plan for a two-day, in-person Strategic Planning session to take place on May 19 and 20, 2015, Co-facilitate a participatory Strategic Planning session with the Strategic Planning Committee to complete planning work needed for the development of the Strategic Planning Framework \$5,500.00

Mike LaFernier, Sr. arrived at 9:41 a.m.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE MICHIGAN PUBLIC HEALTH INSTITUTE AGREEMENT AND AUTHORIZE THE PRESIDENT TO SIGN. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

3. Don Messer, Jr., Interim General Manager, Baraga Ojibwa Casino – Baraga Casino Maintenance Truck Bids (3)

2015 Chevrolet Silverado with plow

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FOR THE TRUCK AND PLOW FROM KISSELS IN THE AMOUNT OF \$36,027.00 AND PAY APPLICABLE TAX. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

4. President Swartz –

- a) April Regular Saturday Council Meeting Date

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MEETING DATE CHANGE FROM APRIL 4 TO APRIL 11, 2015. SUPPORTED BY JENNIFER MISEGAN. 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, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

- b) Budget Modification (Addition) for Gaming Commission Expenditure for Crossmatch (Livescan) Fingerprint Machine

Break: 9:50 – 10:00 a.m.

(Lynn Haataja present)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE PURCHASE OF THE FINGERPRINT MACHINE FROM CROSSMATCH IN THE AMOUNT OF \$11,500.02 PENDING THE CHANGE IN THE PURCHASE AGREEMENT RELATED TO THE LAWS OF THE KEWEENAW BAY INDIAN COMMUNITY. SUPPORTED BY DON MESSER, JR. NINE 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., Don Messer, Jr., Donald Shalifoe, Sr.), ONE OPPOSED (Gary F. Loonsfoot, Sr.), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

- c) Donation Request – (Fred Shelifoe and Kelly Shelifoe for Allen Shelifoe’s Funeral Expenses)

Donald Shalifoe, Sr. will approach the family; those who would like to donate a portion of their Christmas Checks, and report back to the Council.

5. Susan LaFerner, Assistant Secretary – Schedule Government Grievance Hearings (3) - The hearings are scheduled for April 9, 2015 at 10:00 a.m., 11:00 a.m., and 1:00 p.m.
6. Larry Denomie III, CEO – Selection Guidelines to be used in the hiring, promotion, and transfer of all employees of the KBIC including the Government and Enterprise operations

Jennifer Misegan left 10:17 – 11:06 a.m.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SELECTION GUIDELINES, PRE-EMPLOYMENT REFERENCE CHECK, APPLICANT POOL REPORT, AND THE APPLICANT SCORING SHEET WITH THE CHANGES. SUPPORTED BY DONALD SHALIFOE, SR. NINE IN FAVOR (Toni J. Minton, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

J. Closed Session:

1. Andrew Chosa, CEO Aanikoosing Inc./Anthony Rabitaille, Chairman Aanikoosing Inc. – Loan Request
2. Jennifer Misegan, Vice President –
 - a) Personnel Issue
 - b) General Manager Applications for Review/Jim Nardi, Human Resources Director
3. Larry Denomie III, CEO – GMA Conference Call (Tribal Center Conference Room)

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:10 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.

(Donald Shalifoe, Sr. is out of the room)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:22 P.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFerner, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Don Messer, Jr.), MOTION CARRIED.

(Don Messer, Jr. is out of the room)

Aanikoosing Inc. Loan Request – Marquette Gas Station

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE A \$300,000.00 BRIDGE LOAN TO AANIKOOSING INC. FOR CAPITAL EXPENSES TO OPEN THE BUSINESS. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE 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., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

President's Wage -

MOTION MADE BY JENNIFER MISEGAN TO SET THE PRESIDENT'S PAY, EFFECTIVE JANUARY 10, 2015, AT \$38.22 AN HOUR. CO-SUPPORTED BY ROBERT R.D. CURTIS, JR. AND MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Lunch: 12:25 – 1:13 p.m. (Robert R.D. Curtis, Jr., Randall Haataja, and Donald Shalifoe, Sr. left)

(Moved to the Tribal Center Conference Room)

Global Market Advisors – Ojibwa Casino's Proposal Update
[GMA Conference Call]

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 1:14 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Doreen G. Blaker, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Susan J. LaFernier, Eddy Edwards, Robert R.D. Curtis, Jr., Randall R. Haataja, Donald Shalifoe, Sr.), MOTION CARRIED.

Susan LaFernier returned at 1:16 p.m.

Don Messer, Jr. left at 2:01 p.m.

An additional grievance hearing was scheduled for April 9, 2015 at 2:00 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 2:19 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Eddy Edwards, Robert R.D. Curtis, Jr., Randall R. Haataja, Don Messer, Jr., Donald Shalifoe, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 2:21 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Eddy Edwards, Robert R.D. Curtis, Jr., Randall R. Haataja, Don Messer, Jr., 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 26, 2015 – 9:00 A.M.

A. Date: March 26, 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 Shalifoc, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: March 26, 2015

G. For Your Information:

1. BIA Midwest Regional Office in receipt of Proposal and Resolution KB-009-2015 Law Enforcement Program on March 19, 2015
2. GLIFWC Biological and Commercial Catch Statistics Administrative Report 2013
3. Gary Loonsfoot, Sr. - Forest Invasive Regulatory Meeting Report

H. Old Business:

1. Lori Sherman, Natural Resources Director - Name Selection for 12th Annual Kids Fishing Derby scheduled for June 27, 2015

I. New Business:

1. Lori Sherman, Natural Resources Director/Danielle Webb, Assistant Tribal Attorney –
 - a) Great Lakes Indian Fish and Wildlife Commission Memorandum of Agreement for USGS Services

- b) U.S. Department of Interior Joint Funding Agreement for Water Resources Investigations
- 2. Kathy Mayo, Community Health Director/Danielle Webb, Assistant Tribal Attorney –
 - a) Inter-Tribal Council of Michigan Memorandum of Understanding Health Innovation Grant for Preventing Prescription Drug Abuse in a Tribal Community Project
 - b) Inter-Tribal Council of Michigan Memorandum of Agreement Michigan Cancer Consortium to Reduce Smoking Rates Among Youth
 - c) Michigan Public Health Institute Agreement (MPHI)
- 3. Don Messer, Jr., Interim General Manager Ojibwa Casino I & II – Baraga Casino Maintenance Truck Bids
- 4. President Swartz –
 - a) April Regular Saturday Council Meeting Date
 - b) Budget Modification for Gaming Commission Expenditure for Crossmatch Fingerprint Machine
- 5. Susan LaFerner, Assistant Secretary – Schedule Government Grievance Hearings

J. Closed Session:

- 1. Andrew Chosa, CEO Aanikoosing Inc./Anthony Rabitaille, Chairman Aanikoosing Inc. – Loan Request
- 2. Jennifer Misegan, Vice President – Personnel Issue

K. Adjournment: