

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
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – APRIL 30, 2015 – 9:00 A.M.

 **APPROVED**
6-25-15

- A. Date: April 30, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:11 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: 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 (arrived at 9:58 a.m.)
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Don Messer, Jr.
Donald Shalifoe, Sr. (arrived at 9:14 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: April 30, 2015
- | | | |
|------------|-----------------|--|
| Deletion: | Closed Session- | 1. President Swartz – Assistant CEO Contract |
| Move: | New Business- | 1. Carole LaPointe, Health Director – Joseph Zobro, M.D., Physicians Employment Agreement to Closed Session 1. |
| Additions: | Old Business- | 1. Larry Denomie III, CEO –
a) Applicant Scoring Sheet Amendment
b) Keweenaw Bay Housing Department Employees Annual Leave Hours |

New Business-
Closed Session-

1. President Swartz – Proposal 1 Budget
2. President Swartz – Aanikoosing Inc. Bridge Loan Agreement

Donald Shalifoe, Sr. arrived at 9:14 a.m.

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

G. Approval of Meeting Minutes:

1. September 6, 2014

MOTION MADE BY EDDY EDWARDS TO APPROVE THE SEPTEMBER 6, 2014 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY DONALD SHALIFOE, SR. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Doreen G. Blaker), ONE ABSENT (Randall R. Haataja), MOTION CARRIED.

2. September 18, 2014

MOTION MADE BY EDDY EDWARDS TO APPROVE THE SEPTEMBER 18, 2014 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), ONE OPPOSED (Jennifer Misegan), TWO ABSTAINING (Toni J. Minton, Doreen G. Blaker), ONE ABSENT (Randall R. Haataja), MOTION CARRIED.

H. Old Business:

1. Larry Denomie III, CEO –

- a) Applicant Scoring Sheet Amendment for the Selection Guidelines for the Selection Committee

MOTION MADE BY EDDY EDWARDS TO DECREASE THE VETERAN PREFERENCE SCORE FROM TWENTY POINTS TO TEN POINTS ON THE APPLICANT SCORING SHEET AND NOT RECOGNIZE BAD CONDUCT OR DISHONORABLE DISCHARGE. SUPPORTED BY GARY F. LOONSFOT, SR. NINE IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Randall R. Haataja), MOTION CARRIED.

b) Keweenaw Bay Housing Department Employees Annual Leave Hours

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO EXTEND THE DEADLINE TO USE ANNUAL LEAVE CARRYOVER HOURS OVER THE MAXIMUM OF 240 HOURS FOR HOUSING DEPARTMENT EMPLOYEES TO SEPTEMBER 30, 2016. SUPPORTED BY DONALD SHALIFOE, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Randall R. Haataja), MOTION CARRIED.

I. New Business: (moved to Closed Session)

1. President Swartz – Michigan Proposal 1 Budget. Vote No on Proposal 1 on May 5, 2015

“A proposal to amend the State Constitution to increase the sales/use tax from 6% to 7% to replace and supplement reduced revenue to the School Aid Fund and local units of government caused by the elimination of the sales/use tax on gasoline and diesel fuel for vehicles operating on public roads, and to give effect to laws that provide additional money for roads and other transportation purposes by increasing the gas tax and vehicle registration fees.”

J. Closed Session:

1. Carole LaPointe, Health Director – Joseph Zobro, M.D., Physicians Employment Agreement
2. President Swartz – Aanikoosing Inc. Bridge Loan Agreement
3. Government Employee Grievance Hearing Case #009-15
4. Government Employee Appeal of Termination Hearing Case #008-15

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 9:39 A.M. AND TO INCLUDE TRIBAL MEMBERS AND EMPLOYEES. 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., Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr., Donald Shalifoe, Sr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Randall R. Haataja), MOTION CARRIED.

Randall Haataja arrived at 9:58 a.m.

Break: 10:14 – 10:19 a.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 12:11 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

Government Employee Appeal of Dismissal Case #008-15 – (Vice President Misegan was Chairing)

MOTION MADE BY EDDY EDWARDS TO OVERTURN THE DISMISSAL IN CASE #008-15 AND MAKE IT A THREE-DAY SUSPENSION WITH NO BACK PAY. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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.), TWO OPPOSED (Toni J. Minton, Susan J. LaFernier), ONE ABSTAINING (Warren C. Swartz, Jr.), ABSENT - 0, MOTION CARRIED.

Toni Minton stated her opposition: She feels it should have been a five-day suspension and EAP counseling.

Susan LaFernier agrees.

Government Employee Grievance Case #009-15 -

MOTION MADE BY JENNIFER MISEGAN TO UPHOLD THE CEO'S DECISION IN CASE #009-15. SUPPORTED BY DON MESSER, JR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), THREE OPPOSED (Robert R.D. Curtis, Jr., Eddy Edwards, Donald Shalifoe, Sr.), ONE ABSTAINING (Toni J. Minton), ABSENT - 0, MOTION CARRIED.

Aanikoosing Inc. Bridge Loan Agreement Approval -

MOTION MADE BY EDDY EDWARDS TO APPROVE THE AANIKOOSING INC. BRIDGE LOAN AGREEMENT IN THE AMOUNT OF \$300,000.00. SUPPORTED BY DONALD SHALIFOE, SR. 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.), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Jennifer Misegan stated her opposition: She is opposed to the UCC filing with the State of Michigan and doesn't believe it is necessary.

K. New Business:

2. President Swartz – Michigan Proposal 1 Budget – Constitution Amendment

MOTION MADE BY JENNIFER MISEGAN TO APPROVE A \$20,000.00 BUDGET OPPOSING PROPOSAL ONE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

Joseph Zobro, M.D., Physicians Employment Agreement – June 1, 2014 – June 1, 2017

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE PHYSICIANS EMPLOYMENT AGREEMENT WITH JOSEPH ZOBRO, M.D. CO-SUPPORTED BY ROBERT R.D. CURTIS, JR. AND DONALD SHALIFOE, SR. 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.

I. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 12:18 P.M. SUPPORTED BY DONALD SHALIFOE, SR. 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.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
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OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – APRIL 30, 2015 – 9:00 A.M.

A. Date: April 30, 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. LaFermier, Assistant Secretary
 ___ Doreen G. Blaker, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Eddy Edwards
 ___ Randall R. Haataja
 ___ Michael F. LaFermier, Sr.
 ___ Gary F. Loonsfoot, Sr.
 ___ Don Messer, Jr.
 ___ Donald Shalifoe, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: April 30, 2015

G. Approval of Meeting Minutes:

1. September 6, 2014
2. September 18, 2014

H. New Business:

1. Carole LaPointe, Health Director – Joseph Zobro, M.D., Physicians Employment Agreement

I. Closed Session:

1. President Swartz – Assistant CEO Contract
2. Government Employee Grievance Hearing Case #009-15 – **10:00 a.m.**
3. Government Employee Appeal of Termination Hearing Case #008-15 – **11:00 a.m.**

J. Adjournment: