

# KEWEENAW BAY INDIAN COMMUNITY

## 2013 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President  
ELIZABETH D. MAYO, Vice-President  
SUSAN J. LAFERNIER, Secretary  
TONI J. MINTON, Assistant Secretary  
JENNIFER MISEGAN, Treasurer

Keeweenaw Bay Tribal Center  
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Baraga, Michigan 49908  
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ROBERT R.D. CURTIS, JR.  
FRED DAKOTA  
JEAN JOKINEN  
MICHAEL F. LAFERNIER, SR.  
CAROLE L. LAPOINTE  
ELIZABETH "CHIZ" MATTHEWS  
DON MESSER, JR.

### MINUTES KEWEENAW BAY INDIAN COMMUNITY REGULAR TRIBAL COUNCIL MEETING OJIBWA CASINO RESORT CONFERENCE ROOM SATURDAY – SEPTEMBER 7, 2013 – 9:00 A.M.

 **APPROVED**  
2-27-15

- A. Date: September 7, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:00 a.m.
- C. Invocation: Lord's Prayer and prayers for those in need, our troops, and our U.S. President
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Elizabeth D. Mayo, Vice President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary  
Jennifer Misegan, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota  
Jean Jokinen  
Michael F. LaFernier, Sr.  
Carole L. LaPointe  
Elizabeth "Chiz" Matthews  
Don Messer, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 7, 2013
- |            |                 |   |
|------------|-----------------|---|
| Additions: | Old Business-   | 4. Jennifer Misegan – Appeal Hearings Case #002-13 and Case #003-13   |
|            | Closed Session- | 1. Carole LaPointe – a) Marquette Health and Hardship Fund Budget Modification<br>b) Interim Wage for Assigned DHHS I.T. Worker |

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

G. For Your Information:

1. A "Thank you" from the Baraga County Community Foundation
2. A "Thank you" from Jeanine Francois-Gonzalez
3. A "Thank you" from Mason Alexander Schermerhorn
4. A "Thank you" from Steele Jondreau, Easton Clements, Cage Osterman, and DySean Allen
5. A "Thank you" from Debbie Parrish
6. A "Thank you" from Sharon Geroux
7. A "Thank you" from the Native American Rights Fund
8. A "Thank you" from the Omega House
9. Notification of Approved Enrollment Applications July 31, 2013 (6) and August 26, 2013 (6)

H. President's Report/August 2013 – Verbal Report

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AUGUST 2013 PRESIDENT'S REPORT. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

I. Secretary's Report/August 2013 – available for your review

**MOTION MADE BY TONI J. MINTON TO APPROVE THE AUGUST 2013 SECRETARY'S REPORT. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

J. Treasurer's Report/August 2013 – available for your review

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AUGUST 2013 TREASURER'S REPORT. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

K. CEO's Report/August 2013 – available for your review

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AUGUST 2013 CEO'S REPORT. SUPPORTED BY SUSAN J. LAFERNIER.**

**MOTION MADE BY CAROLE L. LAPOINTE TO MOVE FORWARD WITH AN APPEAL TO THE ADMINISTRATIVE LEVEL REGARDING THE BIA FORESTRY FUNDS DIRECT CONTRACT REQUEST. SUPPORTED BY JEAN JOKINEN. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AUGUST 2013 CEO’S REPORT. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

L. Department Head Reports – July 2013

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE JULY 2013 DEPARTMENT HEAD REPORTS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Elizabeth “Chiz” Matthews), THREE OPPOSED (Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Carole LaPointe stated her opposition: She is opposed because she did not have time to read all of them.

M. Recognize Scheduled Delegation/Individuals:

1. Mike Bianco, L’Anse Fire Chief – U.P. Firefighters Tournament

Tom Chosa, Steven Denomie, Ron Hueckstaedt, Jesse Jones present (Baraga Fire Department)

Mike Bianco presented the Council with a plaque and thanked them for their support.

**Break: 9:54 – 10:05 a.m.**

N. Old Business:

1. President Swartz – Curby Robillard Lease (Resolution KB-1937-2013 John M. Robillard Request for Lease)

Curby Robillard, Robert (Beaver) and Chris Voakes present

Curby acknowledged the cutting of the trees and stated he has not cut any since he received a fine to which he signed a promissory note to pay. He apologized to the Voakes family.

Jennifer Misegan informed Curby that Tribal Police have jurisdiction over him.

Susan LaFERNIER asked Curby if he understood that his Uncle John Robillard, is ill and cannot proceed with the details of the lease.

John Robillard is an allottee and is the second major shareholder of the land with the Tribe and the other allottees. (Approximately 25)

**MOTION MADE BY SUSAN J. LAFERNIER TO CANCEL RESOLUTION KB-1937-2013 AND CONTINUE TO MEET WITH CURBY ROBILLARD TO DISCUSS HIS OPTIONS AND STIPULATIONS. SUPPORTED BY TONI J. MINTON.**

Toni Minton withdrew her support.

**MOTION MADE BY SUSAN J. LAFERNIER TO CANCEL RESOLUTION KB-1937-2013 AND CONTINUE TO MEET WITH CURBY ROBILLARD TO DISCUSS HIS OPTIONS AND STIPULATIONS. SUPPORTED BY ELIZABETH D. MAYO. FIVE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jennifer Misegan, Fred Dakota, Michael F. LaFERNIER, Sr.), ONE OPPOSED (Don Messer, Jr.), FIVE ABSTAINING (Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe, Elizabeth "Chiz" Matthews), ABSENT - 0, MOTION CARRIED.**

2. Susan LaFERNIER, Secretary –

a) Schedule 3<sup>rd</sup> Reading Proposed Ordinance 2013-03 to Amend Tobacco Ordinance 2008-02

The 3<sup>rd</sup> Reading is scheduled for September 19, 2013.

b) October 5, 2013 Meeting Date

**MOTION MADE BY ELIZABETH D. MAYO TO HOLD THE OCTOBER 5<sup>TH</sup> REGULAR TRIBAL COUNCIL MEETING IN BARAGA AND MOVE THE NOVEMBER REGULAR TRIBAL COUNCIL MEETING TO NOVEMBER 9<sup>TH</sup> IN MARQUETTE. SUPPORTED BY JENNIFER MISEGAN. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

3. Jean Jokinen – OHA Forensic Audit

Jean stated to the Council she attended the work group meeting yesterday and she believes the audit is complete based on the information that was given.

Jennifer Misegan stated it is not complete. The Auditors Engagement Letter lists the order of each phase of the audit.

**MOTION MADE BY JEAN JOKINEN TO PUT AN END TO THE OHA FORENSIC AUDIT AND CONSIDER IT COMPLETE. SUPPORTED BY ROBERT R.D. CURTIS, JR. TWO IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen), NINE OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION DEFEATED.**

**MOTION MADE BY CAROLE L. LAPOINTE TO WAIT UNTIL THE WRITTEN REPORT COMES IN FROM YESTERDAY’S MEETING FROM THE AUDITORS THEN DECIDE TO MOVE FURTHER. SUPPORTED BY DON MESSER, JR. TWO IN FAVOR (Carole L. LaPointe, Don Messer, Jr.), NINE OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT - 0, MOTION DEFEATED.**

4. Jennifer Misegan – Summer Youth Termination Appeal Hearings Case #002-13 and Case #003-13 (9-5-13)

**MOTION MADE BY JENNIFER MISEGAN TO SUPPORT THE DECISION OF THE ASSISTANT CEO IN THE TERMINATION OF CASE NUMBERS 002-13 AND 003-13 BUT TO CLEAR THE INFORMATION REGARDING THEIR TERMINATION FROM THEIR EMPLOYMENT FILES. SUPPORTED BY SUSAN J. LAFERNIER. SIX IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe), TWO OPPOSED (Jean Jokinen, Elizabeth “Chiz” Matthews), TWO ABSTAINING (Elizabeth D. Mayo, Toni J. Minton), ONE ABSENT (Don Messer, Jr.), MOTION CARRIED.**

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

O. New Business:

1. Jennifer Misegan, Treasurer – Donations September 2013

**MOTION MADE BY JENNIFER MISEGAN TO DONATE \$500.00 TO THE LAW ENFORCEMENT TORCH RUN FOR THE SPECIAL OLYMPICS. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.**

(Elizabeth Matthews is out of the room)

P. Closed Session:

1. Carole LaPointe –
  - a) Marquette Health and Hardship Fund Budget Modification (increase)

b) Interim Wage for Assigned DHHS I.T. Worker

**MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 11:07 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Break: 11:09 – 11:22 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 11:40 A.M. SUPPORTED BY DON MESSER, JR. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Interim Wage for Assigned DHHS I.T. Site Manager –

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE INTERIM WAGE FOR THE ASSIGNED I.T. SITE MANAGER AT THE HEALTH CENTER AT \$18.37. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), TWO OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**MOTION MADE BY JENNIFER MISEGAN TO WAIVE THE TEN DAY WAITING PERIOD FOR THE POSITION OF I.T. SITE MANAGER AND TO POST. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Don Messer, Jr.), THREE OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth "Chiz" Matthews), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Q. Adjournment:

**MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO ADJOURN AT 11:42 A.M. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR TRIBAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**SATURDAY – SEPTEMBER 7, 2013 – 9:00 A.M.**

A. Date: September 7, 2013

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

- \_\_\_ Warren C. Swartz, Jr., President
- \_\_\_ Elizabeth D. Mayo, Vice President
- \_\_\_ Susan J. LaFernier, Secretary
- \_\_\_ Toni J. Minton, Assistant Secretary
- \_\_\_ Jennifer Misegan, Treasurer
- \_\_\_ Robert R.D. Curtis, Jr.
- \_\_\_ Fred Dakota
- \_\_\_ Jean Jokinen
- \_\_\_ Michael F. LaFernier, Sr.
- \_\_\_ Carole L. LaPointe
- \_\_\_ Elizabeth "Chiz" Matthews
- \_\_\_ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: September 7, 2013

G. For Your Information:

1. A "Thank you" from the Baraga County Community Foundation
2. A "Thank you" from Jeanine Francois-Gonzalez
3. A "Thank you" from Mason Alexander Schermerhorn
4. A "Thank you" from Steele Jondreau, Easton Clements, Cage Osterman, and DySean Allen
5. A "Thank you" from Debbie Parrish
6. A "Thank you" from Sharon Geroux
7. A "Thank you" from the Native American Rights Fund
8. A "Thank you" from the Omega House
9. Notification of Approved Enrollment Applications July 31, 2013 (6) and August 26, 2013 (6)

H. President's Report/August 2013

I. Secretary's Report/August 2013

J. Treasurer's Report/August 2013

K. CEO's Report/August 2013

L. Department Head Reports – July 2013

M. Recognize Scheduled Delegation/Individuals:

1. Mike Bianco, L'Anse Fire Chief – U.P. Firefighters Tournament

N. Old Business:

1. President Swartz – Curby Robillard Lease
2. Susan LaFerner, Secretary –
  - a) Schedule 3<sup>rd</sup> Reading Proposed Ordinance 2013-03 to Amend Tobacco Ordinance 2008-02
  - b) October 5, 2013 Meeting Date
3. Jean Jokinen – OHA Forensic Audit

O. New Business:

1. Jennifer Misegan, Treasurer – Donations September 2013

P. Closed Session:

Q. Adjournment:



KEWEENAW BAY INDIAN COMMUNITY  
TRIBAL COUNCIL

*Susan J. LaFornier*

*August 2013 Report from the Secretary to the Council/Community*

(for the September 7, 2013 Regular Meeting)

***ANIN! We honor the greatness in you***

***Remember: "Indian Country Counts"***

***"Our People, Our Nations, Our Future"***

We continue to recognize the richness of Native American contributions, accomplishments, and sacrifices to the political, cultural, and economic life of Michigan and the United States

A wonderful Fall season is upon us as we continue to enjoy the wonderful Seasons of our area!

The annual Summer Government Picnic was held on August 2<sup>nd</sup> at the L'Anse Golf Course. 150 employees attended and played Bingo, cribbage/card games, bean bag toss, went on a 1 mile fitness walk, and of course, golfed. Three new challenges were added this year and the following won: Kevin Perrault/1'9" closest to the pin; Gary Loonsfoot, Jr./25' longest putt; Suzanne Jondreau/longest drive. We all enjoyed great picnic food and thanks to all of our employees for planning, setting up for the picnic, cooks, those who grilled, helping with the games and prizes, and cleanup. Many thanks to our Picnic Committee: Larry Denomie, Kim Klopstein, Gary Loonsfoot, Jr. and to the Tribal Council.

On August 16<sup>th</sup> and August 23<sup>rd</sup>, Tribal Council members and Natural Resource staff had the privilege to take a boat ride (thanks to our Police Officers) to Manitou Island off the Keweenaw Peninsula. It is a beautiful island with two lighthouses, a dock, and many acres of pure woods where trees amazingly grow on little soil and where the pinecones grow upward! The island is able to tell you many stories of the activities that went on there through the years, mainly commercial fishing. We did find downed telephone poles that connected the lighthouse to the mainland. Be watching for more information on Manitou Island...

Remember the dates (see poster/ads) regarding the upcoming Secretarial Election on October 22, 2013 with the only polling place at the Ojibwa Senior Citizens Center in Baraga from 7:00 a.m. to 7:00 p.m. You will be voting on an amendment to the Constitution regarding Article VIII

Section 1. Community Informational meetings will be held on September 24<sup>th</sup> at the Zeba United Methodist Church and September 26<sup>th</sup> at the Ojibwa Seniors Center.

I had a great time helping at the Pines Convenience Center "Customer Appreciation" Day on August 27<sup>th</sup>. Thanks to the staff, Trish, Suzie, Dan, Larry, Radio personnel, and everyone who helped make the day fun.

The employee W.H.I.P.P. (Wellness, Health, Intervention, Prevention Program) Task Force and volunteers continue to have monthly meetings. It is never too late to encourage and begin positive lifestyle changes that will help us live longer, healthier, happier lives. Mino-Bimaadizin "Live Well". Remember everyone should participate in at least 30 minutes of physical activity 5 times a week to stay fit. Congratulations to our 2<sup>nd</sup> place Keweenaw Bay walkers out of 11 Tribes participating again this year in the Tribe to Tribe Walking Challenge. They were congratulated by Blue Cross & Blue Shield with a check on August 20<sup>th</sup>. The annual blood drive will also be held on October 1<sup>st</sup> (see flyer).

NATIVE VOTE 2013 (every vote and voice counts). We have 822 total eligible voters and 681 are registered to vote (141 are not registered), of the 681 registered, 429 voted in the December 2012 election which is 63%. Our goal for Keweenaw Bay is to have 100% of our registered/eligible members vote!

*Remember to continue to pray for each other, to honor, and remember all of our veterans and service men and women and their families. Also every day remember those who are ill, our economy struggles, and all who have lost loved ones during the past year and on September 11. We pray that we and the world will be graced with the gifts of peace, love and joy...*

*Thank you for all that you do to keep our land the beautiful place it is and we thank you God and Creator for the great blessings of our land!*

*"Who does the land belong to?*

*Some to those that have walked on, a little to those still living,  
But most to those yet to be born."*

*-Unknown*

*~Yesterday is history, tomorrow is a mystery,  
Today is a gift, that is why we call it the present~*

The Tribal Council held the Regular Saturday Meeting on August 3, 2013 at the Ojibwa Motel Conference Room. This meeting is reported in the September Tribal newsletter. (4) Special Council meetings were also held. Following are the unapproved motions for August.

August 1, 2013:

- Tabled the Tribal Attorney job description review and have a discussion with Attorney Heather Chapman before posting for a Tribal Attorney
- Approved a line item Hardship Funds for the Community Needs Assistance Program (511) and to use the remaining senior heating funds for food and shutoffs using the CSBG guidelines for two months
- Defeated a motion to offer the TERO Director position to Sue Ellen Carlson (after 5 interviews)
- Approved to offer the TERO Director position to Debra Picciano
- Approved the pay the balance of \$2,162.85 out of the General Fund (510) for the Spring Clean-up
- Approved to table Resolution KB 1945-2013 for a new drawing for the Campground (Marina) Right-of-Way Amendment
- Approved the KBIC Space Lease Agreement for (2) ATM Machines with River Valley Bank at the Marquette Casino
- Approved the bid from Ojibwa Building Supply for \$98,498.00 with a contract (to include warranty and a time frame) for the Baraga Casino carpeting
- Approved the use of the former Tribal Maintenance facility (at the Industrial Park) for \$1.00 for 99 years for office space for the Aanikoosing, Inc.

August 8, 2013 :

- Defeated a motion to approve a donation of \$3,992.00 (additional) for burial expenses for George Curtis
- Approved to pay the difference between a regular size casket and a larger casket for George Curtis
- Approved to appoint Diana Chaudier, Gretchen Emery, Peggy Loonsfoot, Jeanne Kauppila, and Kim Klopstein to the Secretarial Election Board (October 22, 2013 Election)

- Approved Resolution KB 1945-2013 Campground Right-of-Way and to move forward with the paving after Labor Day
- Approved to not pave (or gravel) the loop by the (Marina) Fishing Memorial, remove the small loop and do a change order to the contract
- Approved Resolution KB 1947-2013 Diana L. Chaudier and Jason R. Chaudier modification to their residential lease
- Approved to refund all of the Pow-Wow vendors from this years Pow-Wow
- Approved the Letter of Support to MTU for the GLRJ (Great Lakes Restoration Initiative) grant application regarding Torch Lake
- Approved the Services Agreement with Checker Transport for the Youth charter bus trip August 17-20
- Approved the renewal 2013 fireworks license for (Pete) Morin Fireworks
- Approved the Tier II Services Agreement with Range Telecommunications for \$4,125.64 for the radio station's Herman tower FCC compliance

August 29, 2013:

- Approved the Early Spring Productions (Rick Allen) to film on the Reservation and at the Pinery Cemetery in a respectful way
- Approved a donation to Early Spring Productions of \$2,500.00
- Approved the September 11, 12, 13, 18, 2012 Tribal Council meeting minutes
- Approved that family members of George Curtis be able to donate (\$150.00-\$300.00) from their 2013 Christmas Gift Check for his funeral expenses
- Approved the renewal business license for Zebing Solutions (Jeff Swartz and Arlan Friisvall)
- Approved Resolution KB 1949-2013 Irvin J. Smith III Recreational Lease
- Approved Resolution KB 1950-2013 Alden L. Connor, Jr. Residential Lease
- Approved Resolution KB 1953-2013/Purchase Agreement for 40 acres on the Pikes Peak Road for \$38,000.00 from Joe Sirard

- Approved Resolution KB 1951-2013 Forest Management Deduction Account Expenditure Plan October 2013-September 2014
- Approved the project agreement with the Board of County Road Commissioners for Baraga County for the Tailor Road Improvements
- Approved Resolution KB 1948-2013 Eligible Voters List for the Secretarial Election to amend Article VIII
- Approved the donation request from Teresa Miller and Tina Messer for travel expenses up to \$520.00 (need receipts) to attend their uncle's funeral in Minnesota
- Approved to appoint John Davis to the Economic Development Committee
- Approved to appoint Jeff Loman to the Natural Resources Committee
- Approved to appoint Lauri Denomie to the ICWA (Justice) Committee
- Approved to reappoint Roy (Donny) Koski to the Aaniikoosing, Inc. Board of Directors for 3 years
- Approve the Beverage Agreement with Pepsi Beverages Company for the Casinos
- Approved the MTU Huskies Athletic Marketing Contract for the Baraga Casino
- Approved the Secretarial Election budget of \$2,778.00
- Approved the Enrollment Department to share addresses of Tribal members that can not be found regarding the class action Cobell lawsuit
- Approved the Innovative Gaming Solutions Gaming Operations Evaluation Proposal (Marquette and Baraga Casinos)
- Approved the Services Agreement with Earl Otchingwanigan-Language Instructor, Rose and Linda Trudeau-Language Instructors and the Bay Mills Community College modification of Memorandum of Understanding

August 15, 2013:

- Approved the 2013 General Election Timeline for December 14, 2013 and the 2013 Primary Election Timeline for November 2, 2013

- Held the 2<sup>nd</sup> Reading of Proposed Ordinance 2013-03 Clarification to Title 21b.604 of the Tobacco Ordinance of 2008
- Approved the adjudication of Steven Cadeau for 5 years
- Approved the bid from U.P. Concrete Pipe Company for \$11,592.00 for 12 gauge pipe and \$15,057.00 for 10 gauge pipe for the Robillard Creek culvert/fish passage
- Approved the Great Lakes Fishery Trust application for a dock in Zeba and to submit for a cleaning station
- Approved the Tribal Council Secretary's Report for July 2013



# Treasurer's Report

August 2012

Donations approved for the month of August were as follows:

<b>The Omega House</b>	<b>\$500.00</b>
<b>Baraga County Community Foundation</b>	<b>\$350.00</b>
(Sponsorship for the Tony Selkey Memorial Golf Scramble)	
<b>Early Spring Productions</b>	<b>\$2,500.00</b>
(Film production of "Mutt")	

The Fiscal Year 2014 budget reviews are scheduled to begin on Monday, September 9. We will meet Monday, Tuesday and Wednesday, hold our regular meeting on Thursday, September 12 and continue to meet the week of September 16 if need be. We will begin the week by reviewing the annual audit reports. The budget review meetings are open to Tribal members.

I attended a preliminary budget meeting August 21, with the CFO, CEO and Asst. CEO. We took a look at the proposed Casino budgets and discussed the general Tribal budgets as well as the schedule for next week's meetings.

A conference call was held on August 13 with the small group involved in the forensic audit for the Ojibwa Housing Authority. Unfortunately, I was unclear as to which Council member was to be involved in the group. It was later brought forward that Jean was going to be involved. I apologize for the misunderstanding. During the call and after reading through the packet of information sent to them by OHA, the auditors reviewed a list of further documents that they needed. Once the list was received via email to Heather, she notified the Board Chairperson and the Executive Director. They were once again instructed to forward the documents to me so that I could compile them and insure that everything asked for was received. That did not happen. OHA choose to send most of the documents straight to the auditors, I did not receive anything. I have attached the email from the auditing firm along with the list.

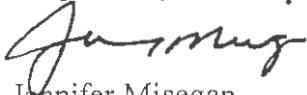
A second conference call was held yesterday, September 6. This time we made sure that Jean was included. There was some confusion as to who had been designated by the Tribal Council to be involved in the group. Once the confusion was cleared up the call proceeded with the Tribal Council President sitting in on the call.

The auditors had prepared some spreadsheets comparing OHA's audited financial statements and provided the group with some of the answers to the initial questions Council had. That information can be shared with Council in closed session as the group was made well aware of the confidentiality associated with being a part of the working group. The group felt that at this time a site visit is not necessary until further review has been made. Another list of documents was sent to the group and was forwarded to OHA to provide. Many items on the list were things that were missing from the previous list and the other items were to answer questions that the auditors have. The audit is not complete. If there are any questions regarding the process and what is involved in this audit, please see the engagement letter that was approved by Council.

The second 2% deadline of the year, which is September 30, is approaching quickly. Decisions regarding the funding will be before November 30, 2013.

If anyone has any questions or comments, please feel free to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Jennifer Misegan". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

Jennifer Misegan  
Tribal Council Treasurer



## Jennifer Misegan

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**From:** Ginger Knutsen [GKnutsen@sdkcpa.com]  
**Sent:** Tuesday, August 13, 2013 4:57 PM  
**To:** Jennifer Misegan; Heather Chapman; Sarah Maki  
**Cc:** Wendy Harden; Jason Besler  
**Subject:** Additional documents  
**Attachments:** Document Request.pdf

Good afternoon,

Attached is an updated document request which details the additional documents we prefer to receive prior to our on-site visit. The last page contains a preliminary list of items we need available to us when we are on-site.

Please let us know if you have any questions!

Ginger



**Ginger Knutsen**  
CPA/ABV/CFF, CFE  
Senior Manager

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Keweenaw Bay Housing Authority  
Additional Documents

**Please provide the following documents when available. We would like to review prior to arranging our onsite visit.**

1. 2004 financial statements.
2. If there are any other governance documents besides Ordinance, please provide.
3. Annual reports prepared by Edward Edwards for Tribal council from 2005 – 2012.
4. All business plans prepared by Edward Edwards from 2005 through today.
5. Copy of Do It Best Membership Agreement.
6. Most recent interim financial statements for each entity.
7. For each entity, please provide the tax identification number:
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.
8. For each entity, please provide the governance document or purchase agreement:
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.
9. Copy of Sally Snyder's spreadsheet showing the amount of money the Housing Authority has invested in each of the following entities:
  - a. Ojibwa Holding Company,
  - b. Building Center,
  - c. Ojibwa Builders,
  - d. Ojibwa BP,
  - e. Ojibwa Carwash,
  - f. Ojibwa Laundromat,
  - g. Ojibwa Plumbing & Heating.
10. Copies of all bank loans.
11. For each entity listed, please provide listing of all bank accounts, money market or other investment accounts.
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.

12. For each entity, please provide listing of credit cards issued to employees.
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.
13. For each entity, please provide personnel policy.
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.
14. For each entity, please provide any profit-sharing/bonus plans.
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.
15. For each entity, please provide copies of any/all employment agreements.
  - a. Ojibwa Housing Authority,
  - b. Ojibwa Holding Company,
  - c. Building Center,
  - d. Ojibwa Builders,
  - e. Ojibwa BP,
  - f. Ojibwa Carwash,
  - g. Ojibwa Laundromat,
  - h. Ojibwa Plumbing & Heating.
16. Copy of February 28, 2012 minutes (copy we received appears to be missing the second page of the minutes).
17. Grant Agreement for Stimulus Funds.
18. CDFI Grant Agreement.
19. Keweenaw Bay Ojibwa Housing Authority Resolution 06-01.
20. Keweenaw Bay Ojibwa Housing and Community Development financial statements from 2006 – present.
21. Copy of spreadsheet showing which mortgages and notes moved from OHA to Keweenaw Bay Ojibwa Housing and Community Development.

**Please make the following items available while on-site (please note, we may ask for additional items):**

1. Access to all bank statements, money market statements other investment account statements.
2. Payroll records.
3. Personnel files.
4. General ledger and supporting documents.
5. Credit card statements.

## Document Request

1. Keweenaw Bay Ojibwa Housing and Community Development internal financial statements from 2006 – present.
2. Keweenaw Bay Ojibwa Housing and Community Development audited financial statements from 2006 – 2012.
3. Keweenaw Bay Ojibwa Housing and Community Development Form 990 from 2009 – 2012.
4. Copy of journal entry(ies) transferring mortgages/notes from OHA to Keweenaw Bay Ojibwa Housing and Community Development.
5. List of mortgages/notes retained by OHA at time it transferred mortgages/notes to Keweenaw Bay Ojibwa Housing and Community Development.
6. Please provide purpose for transferring mortgages from OHA to Keweenaw Bay Ojibwa Housing and Community Development.
7. Please provide explanation as to how you determined which mortgages/notes would be transferred out of OHA.
8. Copy of CDFI Grant Agreement (may be held by Keweenaw Bay Ojibwa Housing and Community Development).
9. Copies of all grants received by Keweenaw Bay Ojibwa Housing and Community Development in 2012 and 2013.



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KEWEENAW BAY INDIAN COMMUNITY

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MEMORANDUM – CEO'S OFFICE

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TO: TRIBAL COUNCIL  
FROM: LARRY J. DENOMIE III, CEO   
Date: September 7, 2013  
RE: AUGUST 2013 MONTHLY REPORT

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The month of August 2013 included the following activities and reportable items:

- In Pauline Spruce's July monthly report, she included an "Ethnic Statistics" report. According to the data collected by Pauline, which dates back to 2002, the government now employs the highest percentage of Native Americans, which the report indicates is at 74.2%. We also employ the highest percentage of KB members at 65.29%. The report also indicates that with 314 employees, it is the highest number employed for the reporting period.
- Staff with the Bureau of Indian Affairs met with our staff to conduct an "Informal Conference" related to KB's request to direct contract for Forestry funds. Sarah Maki, Assistant CEO, did an excellent job presenting our case and acted as the spokesperson for KB. Sarah's detailed information will require the BIA to explain their math in calculating their proposed contract amount which is substantially less than the calculations prepared by Sarah. Sarah also noted a ruling that was made by an Administrative Law Judge in a case with the Paiute Indian Tribe, where allocations for Realty funds were based on actual acres and not Federally Inherent activities performed. Based on that methodology presented in that case, KB is requesting contract funds in the amount of \$52,089. The Hearing Officer had 10 days to issue her decision of which we received late and indicated she agreed with the BIA. KB can appeal the request which would entail filing of paper documents to the Interior Board of Indian Affairs – no formal court proceedings would be required.
- I attended the Health Board meeting held on August 14, where discussion occurred regarding prescriptions taking longer than usual to fill. The issue has become a problem since the implementation of the Electronic Health Record and the electronic system used to process fills. Staff has developed a new system which has aided in expediting the fills. The medical providers will be utilizing the alternate method while an alternative EHR systems is explored.
- The Summer Youth Work and Youth Day Camp programs wrapped up the week of August 5<sup>th</sup>. Nicole Arens, Youth Programs Coordinator, had oversight of both programs. There were issues that arose with both programs that were dealt with accordingly. The camp program was new this year and successful for the most part. If the programs continue next year, proactive measures will be taken to develop plans to address the issues that occurred this year. From feedback I received, overall the kids really enjoyed the programs.

- The HUD ICDBG Grant for the Transfer Station has been officially awarded and funds appropriated. The funds are slated for site work and equipment purchases associated with the project. HUD also approved the ICDBG grant award for the Zeba Community Center in the amount of \$600K. OHA will be the lead on that project which was a resubmission by Kristen Wakeham of OHA, of a grant prepared by Jim Stingle, KBIC Grant Writer. The \$200K match will come from the land provided by KB in the amount of \$75K and the remainder will be provided by OHA. The site for the new community center is currently being considered.
- The Pines held their first Customer Appreciation Day event on August 27. Approximately 450 hotdogs were served between 11 a.m. and 2 p.m. Susan LaFernier and I assisted Pines staff at the event with cooking, serving, and registering customers for the prize drawings. This will likely become an annual event to provide thanks to the thousands of customers which patronize the Pines.
- Bruce LaPointe, Projects Manager, will serve as the Tribes Building Inspector. Bruce's office is located at the Department of Public Works which is in our industrial park. Applications for permits will continue to be provided at the Tribal Center through our front desk receptionist.

As always, if anyone has questions, concerns, comments, or issues they need assistance with, feel free to contact our office at anytime.