

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO CONFERENCE ROOM
SATURDAY – MAY 10, 2014 – 9:00 A.M.**

- A. Date: May 10, 2014
- B. Call to Order: Ogimaa Shalifoe called the meeting to order at 9:02 a.m.
- C. Invocation: Prayer by Gene Emery
- D. Opening Song: Four Thunders
- E. Roll Call: Present: Donald T. Shalifoe, Sr., Ogimaa
Carole L. LaPointe, Vice Chairwoman
Jean Jokinen, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary
Eddy Edwards, Treasurer
Robert R.D. Curtis, Jr.
Michael F. LaFernier, Sr.
Susan J. LaFernier
Elizabeth “Chiz” Matthews, arrived @ 9:20 a.m.
Don Messer, Jr.
Jennifer Misegan
Warren C. Swartz, Jr.
- F. Declaration of Quorum: Ogimaa Shalifoe declared a quorum present and proceeded with the order of business.
- G. Approval of Agenda: May 10, 2014

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT – 2 (Jean Jokinen, Elizabeth “Chiz” Matthews), MOTION CARRIED.

H. For Your Information:

1. Letter from Native American Student Association from NMU
2. Letter from Ahmed Shriners
3. Letter from Foley & Mansfield
4. Letter from Joseph (Joe) Pakootas
5. List of Approved Applicants from Enrollment Office
6. Thank You from Taylor Rovin, Great Lakes Center for Youth Development
7. Thank You from Camp New Day U.P.

I. Treasurer's Report/April 2014 – verbal report

Elizabeth “Chiz” Matthews arrived at 9:20 a.m.

J. Ogimaa's Report/April 2014 – verbal report

K. Old Business:

1. 2nd Reading Resolution KB-015-2014 Prohibit Alcoholic Beverages on Pow-wow Grounds

Ogimaa Shalifoe opened up the floor for comments. Jennifer would like this to be posted at the campgrounds so that everyone has to comply not just those having jurisdiction over it. RD Curtis stated the only reason they are asking for this is because of burial grounds down there and they do not want them to be disturbed. Ogimaa Shalifoe read the letter that was attached to this Resolution by Gary Loonsfoot, Jr. why THPO is requesting this Resolution. Don Messer asked about the burial mounds that were down near the marina also and they will be protected this year. Someone asked if alcohol is permitted down near the marina and Sand Point down there and they were said yes and he says that it makes sense to ban alcohol near the arena and areas where there are burial mounds. If they want to have alcoholic beverages they can go over to the other campsite areas. Eddy also stated that we are taking a comprehensive approach for our ancestral burial mounds so that people are more aware of protecting them since they are not buried in our two local cemeteries because most of the mounds are not protected and in an open area and we are trying to fence them off and marked them better. Debbie Picciano asked if that includes the pavilion also and that if someone wants to have a party they can't. Yes it does include the pavilion because it is within the pow-wow grounds. Chris agrees with Eddy and understands where THPO is coming from but you also have a lot of people who ask to use the pavilions for parties and from people who are coming home on vacations and such. Then we telling people what they can or can't do down there because the main purpose of that site is the campground then we need to think of the protection of the

burial grounds and our ancestors down there that would be prudent and also its going to be hard. Ogimaa stated that we can make out a happy/medium solution for people. Chris states that disallowing alcoholic beverages to respect the ancestors down there but we also have to look at it because it is a park. How many mounds are down there? Eddy says they do not want to get into the details on that. As far as he is concerned that it is not illegal to drink in the cemeteries as far as he knows. Chris states that he believes that people respect the non-alcoholic beverages during the week of the Pow-wow but at the same time when people are camping they like to have a few drinks while relaxing by the fire and such. Most Council agrees that this is a tough situation. Debbie Picciano stated that it is a campground and that you are going to lose revenue because of this resolution.

Council set the 3rd Reading for June 7, 2014.

L. Department Head Reports – March 2014

M. New Business:

1. Donald Shalifoe, Sr., Ogimaa/Diana Chaudier, Enrollment Director – Enrollment Issue (Myrtle Tolonen and Reet Denomie could not make it this morning)
2. Eddy Edwards, Treasurer –
 - a) May Donations

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MAY DONATIONS: \$150.00 TO BARAGA AREA SCHOOLS EDUCATIONAL SUPPORT TEAM, \$500.00 TO BARAGA AMERICAN LEGION FOR BRASS GRAVE MARKERS AND AMERICAN FLAGS, \$250.00 TO BARAGA SADD CHAPTER, \$1630.00 TO CHERYNE CLEMENTS/BRIGITTE TOLONEN-LAPOINTE FOR JUNIOR NATIONAL BODY BUILDING CHAMPIONSHIP (CAROLE LAPOINTE ABSTAINS ON THIS DONATION), \$1000.00 TO BARAGA COUNTY SEARCH AND RESCUE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 2 (Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING - 0, ABSENT -1 (Jean Jokinen), MOTION CARRIED.

b) Point of Sale System for Ojibwa Casinos

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AGILYSYS POINT OF SALE SYSTEM FOR BOTH CASINOS. SUPPORTED BY CAROLE L. LAPOINTE. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT -1 (Jean Jokinen), MOTION CARRIED.

3. Donald Shalifoe, Sr., Ogimaa –

a) MIA Travel Request

Eddy Edwards stepped out of the room.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE \$406 FOR MILEAGE AND \$454 FOR HOTEL FOR RICK GEROUX FOR MIA TRAVEL REQUEST. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT -2 (Eddy Edwards, Jean Jokinen), MOTION CARRIED.

b) Lucky 7’s Contract Renewal

Doug Smith, Manager from Lucky 7’s will work with Eddy Edwards and bring in the food inspection for Thursday’s meeting.

4. Doug Smith, Manager Lucky 7’s – Senior Meals

5. Evelyn Ravindran –

a) Aquatic Invasion Species Agreement with U.S. Forest Services

b) Boat Washer Agreement

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE AIS AGREEMENT THAT WILL GIVE US THE MEANS TO HIRE AN EDUCATOR AND PURCHASE A BOAT WASHER. SUPPORTED BY DON MESSER, JR.

ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT -1 (Jean Jokinen), MOTION CARRIED.

6. Jennifer Misegan – Summer Reading Program

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE \$1500.00 FOR THE SUMMER READING PROGRAM. SUPPORTED BY ROBERT R.D. CURTIS, JR. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT -1 (Jean Jokinen), MOTION CARRIED.

7. Carole LaPointe, Vice Chairwoman – KB-026-2014 UM INMED Grant

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-026-2014 UM INMED GRANT. SUPPORTED BY DON MESSER , JR. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT -1 (Jean Jokinen), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION WITH TRIBAL MEMBERS ONLY AT 10:20 A.M. SUPPORTED BY CAROLE L. LAPOINTE. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe , Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan, Don Messer, Jr. , Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT - 1 (Jean Jokinen), MOTION CARRIED.

BREAK 10:20 A.M. – 10:40 A.M.

N. Closed Session: (OPEN TO TRIBAL MEMBERS ONLY!)

1. Eddy Edwards, Treasurer – Recommendation from Casino Task Force

- a) Casino Task Force Lakeside Deal
 - b) Eagle Mine Lawsuit
 - c) Revised Attorney Contract
2. Tony Rabbitaille, Chairman Aanikoosing, Inc. – Construction of Marquette Township Gas Station and Leases for Properties
 3. Donald Shalifoe, Sr., Ogimaa – Monthly Report on SNB Loans

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe , Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan, Don Messer, Jr. , Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT - 1(Jean Jokinen), MOTION CARRIED.

MOTION MADE BY CAROLE L. LAPOINTE TO DRAW UP AN AGREEMENT WITH NO COMMITMENT, NOT TO EXCEED \$2.6 MILLION, LETTER OF INTENT WITH KEWEENAW BAY DEVELOPERS LIMITED. SUPPORTED BY DON MESSER, JR. SEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 2(Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING – 2 (Michael F. LaFernier, Sr., Susan J. LaFernier), ABSENT -1 (Jean Jokinen), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO INSTRUCT THE HONIGMAN LAW FIRM, REGARDING THE ORAL ARGUMENTS IN THE MINING CASE VERSUS THE STATE OF MICHIGAN, TO INSTRUCT HONIGMAN TO HAVE CONNIE SUE MARTIN BE THE LEAD ATTORNEY DURING ORAL ARGUMENTS. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING – 1 (Jennifer Misegan), ABSENT -1 (Jean Jokinen), MOTION CARRIED.

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE GRAYBILL & MEADE, PLLC ON THE PURCHASE OF PROPERTY FOR THE OJIBWA

CASINO. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 3(Michael F. LaFernier, Sr., Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING – 1 (Susan J. LaFernier), ABSENT -1 (Jean Jokinen), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO CONTACT DORSEY & WHITNEY TO HAVE A CONFERENCE CALL WITH THEM THIS WEEK REGARDING THE TOBACCO ISSUES. SUPPORTED BY WARREN C. SWARTZ, JR. NINE IN FAVOR (Donald T. Shalifoe, Sr., Gary F. Loonsfoot, Sr., Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan, Don Messer, Jr. , Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING – 2(Carole L. LaPointe , Eddy Edwards), ABSENT – 1 (Jean Jokinen), MOTION CARRIED.

O. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 12:20 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN FAVOR (Donald T. Shalifoe, Sr., Carole L. LaPointe , Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jennifer Misegan, Don Messer, Jr. , Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING - 0, ABSENT - 1 (Jean Jokinen), MOTION CARRIED.

Next Meeting is May 15, 2014 @ 9:00 a.m.

Respectfully submitted,

Robin Roe
Recording Secretary