

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL TRIBAL COUNCIL MEETING
OJIBWA CASINO CONFERENCE ROOM
THURSDAY – JULY 24, 2014 – 9:00 A.M.

A. Date: July 24, 2014

B. Call to Order: Ogimaa Shalifoe called the meeting to order at 9:14 a.m.

C. Invocation: Ogimaa Shalifoe

D. Roll Call: Present: Donald T. Shalifoe, Sr., Ogimaa
Carole L. LaPointe, Vice Chairwoman (arrived at 9:17 a.m.)
Jean Jokinen, Secretary
Gary F. Loonsfoot, Sr., Ass't Secretary
Eddy Edwards, Treasurer
Robert R.D. Curtis, Jr.
Michael F. LaFernier, Sr.
Susan J. LaFernier
Elizabeth "Chiz" Matthews
Don Messer, Jr.
Jennifer Misegan
Warren C. Swartz, Jr. (arrived at 9:34 a.m.)

E. Declaration of Quorum: Ogimaa Shalifoe declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: July 24, 2014

Addition: Unfinished Business: 3. Jennifer Misegan – Clarification on July 25th Closure

Carole L. LaPointe arrived at 9:17 a.m.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.) OPPOSED – 2 (Susan J. LaFernier, Jennifer Misegan), ABSTAINING – 0, ABSENT – 1 (Warren C. Swartz, Jr.) MOTION CARRIED.

Jennifer stated her opposition: We have asked to meet with the CFO, Francis “Hosh” LaPointe, several times and we expected him to be here.

It was stated that he was on annual leave.

Jennifer Misegan left the room at 9:24 a.m. – 9:26 a.m.

G. New Business:

1. Diana Chaudier, Enrollment Director

a) General Election – December 13, 2014 and Primary Election – November 1, 2014 Timelines

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE ELECTION TIMELINES FOR THE 2014 PRIMARY AND GENERAL ELECTIONS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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) OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Warren C. Swartz, Jr.) MOTION CARRIED.

Warren C. Swartz, Jr. arrived at 9:34 a.m.

b) Sovereignty Gift Check Guidelines

MOTION MADE BY JEAN JOKINEN TO TABLE THE SOVEREIGNTY GIFT CHECK GUIDELINES UNTIL WE CAN CHANGE THE ORDINANCE (TO ONLY RESERVATION). SUPPORTED BY EDDY EDWARDS. FIVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr.) OPPOSED – 7 (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.) ABSTAINING – 0, ABSENT – 0 MOTION DEFEATED.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SOVEREIGNTY GIFT CHECK GUIDELINES AS PRESENTED. SUPPORTED BY WARREN C. SWARTZ, JR. EIGHT IN FAVOR (Carole L. LaPointe, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.) OPPOSED – 2 (Jean Jokinen, Eddy Edwards), ABSTAINING – 2 (Donald Shalifoe, Sr., Robert R.D. Curtis, Jr.), ABSENT – 0 MOTION CARRIED.

Jean Jokinen stated her opposition: Even that check to people that don’t live on the reservation, is against the Constitution.

Eddy Edwards stated his opposition: Because he does not feel that the requirements for the Christmas gift checks should be five times as stricter than the right to vote, it should be the same and that this guideline is to provide no appeal process or no process for the due process for the tribal member that gets denied.

2. Department of Justice – Meet and Greet at 9:45 a.m.

Cherie Dakota introduced Doresa Payton, Grants Specialist from the Department of Justice – Site visit.

3. Dan MacNeil, Tribal Attorney/Prosecutor

a) Lisa Denomie (not present), KBIC Pre-Primary Education Program – Child Care Center License Renewal

MOTION MADE BY GARY F. LOONSFOOT SR. TO APPROVE THE KBIC PRE-PRIMARY EDUCATION BUSINESS LICENSE RENEWAL AS

PRESENTED. SUPPORTED BY ROBERT R.D. CURTIS, JR. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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 – 0 MOTION CARRIED.

b) Real Estate Leasing Agreement

MOTION MADE BY EDDY EDWARDS TO APPROVE THE REAL ESTATE LEASING AGREEMENT BETWEEN KBIC AND AANIKOOSING, INC. FOR THE NEW GAS STATION IN MARQUETTE. SUPPORTED BY DON MESSER, JR. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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), OPPOSED – 0, ABSTAINING – 1 (Warren C. Swartz, Jr.), ABSENT – 0 MOTION CARRIED.

4. Jean Jokinen, Secretary

a) KBIC Resolution KB-038-2014 – FY2014 Indian Community Development Block Grant (ICDBG) for the Halfway House Community Building Project in Baraga \$600,000.00

MOTION MADE BY EDDY EDWARDS TO APPROVE KBIC RESOLUTION KB-038-2014. SUPPORTED BY ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 3 (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Warren C. Swartz, Jr.), ABSTAINING – 2 (Susan J. LaFernier, Jennifer Misegan), ABSENT – 0 MOTION CARRIED.

b) Michigan Economic Development Corporation (MEDC) Non-Motorized Trail from Zeba to Sand Point in Baraga

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE TRIBE’S PROPOSAL FOR A NON-MOTORIZED TRAIL FOR COSTS CONNECTING THE TWO COMMUNITIES (L’ANSE AND BARAGA) ON THE L’ANSE INDIAN RESERVATION. SUPPORTED BY JEAN JOKINEN. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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 – 0 MOTION CARRIED.

JENNIFER MISEGAN WOULD LIKE TO ADD “HOSH” TO THE AGENDA IN CLOSED SESSION #3 SINCE HE IS IN THE ROOM AND IS NOT ON ANNUAL LEAVE. COUNCIL CONSENSUS TO ADD HIM WITHOUT A MOTION.

H. Unfinished Business

1. Jennifer Misegan – Clarification on July 25th Closure for the Pow-wow. The Health Department will be open. The prior motion stated the Health Department would remain open during weather closures.

No action was taken on this topic.

Elizabeth “Chiz” Matthews and Eddy Edwards left the room at 10:08 a.m. - 10:10 a.m. MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION WITH TRIBAL MEMBERS ONLY AT 10:10 A.M. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., 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 (Eddy Edwards, Elizabeth “Chiz” Matthews) MOTION CARRIED.

Break 10:10 a.m. – 10:15 a.m.

I. Closed Session (Tribal Members only)

1. Dan MacNeil, Tribal Attorney/Prosecutor – I,H,S, Contract Support Costs Case – Clarification (**Tribal members were asked to leave for this item**)
2. Eddy Edwards, Treasurer – Contract Approvals for Ojibwa Casinos
 - a) Red Circle Agency, Minneapolis, MN – Marquette Casino
 - b) Advertising, Inc., Traverse City, MI – Baraga Casino
 - c) LASCO Servers – Quote \$204,540.72
 - d) ALK Air Conditioning - Restaurant

e) Gundlach Champion, Inc. – Construction Manager Standard Agreement for the Ojibwa Lakeside Casino and Hotel Complex

3. Jennifer Misegan – Francis “Hosh” LaPointe, CFO – Projected Project Cost for the new casino.

MOTION MADE BY JEAN JOKINEN TO GO INTO OPEN SESSION AT 11:25 A.M. SUPPORTED BY WARREN C. SWARTZ, JR. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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 – 0 MOTION CARRIED.

J. Unfinished Business:

1. M3 Insurance, Vickie Thoreson and Mary Basil and Blue Cross/Blue Shield Representatives, Robert Luke and Stacey Hillier regarding proposals, renewals and quotes

Donald Shalifoe, Sr. left the room at 11:25 a.m. - 11:27 a.m.

Gary Loonsfoot, Sr. left the room at 11:31 a.m. - 11:34 a.m.

Warren C. Swartz, Jr. left the room at 11:41 a.m. - 11:43 a.m.

Robert R.D. Curtis, Jr. left the room at 11:45 a.m. - 11:48 a.m.

Jean Jokinen left the room at 11:49 a.m. - 11:51 a.m.

Jean Jokinen left the room at 12:07 p.m. - 12:09 p.m.

Donald Shalifoe, Sr. left the room at 12:07 p.m. - 12:10 p.m.

MOTION MADE BY JEAN JOKINEN TO APPROVE THE RED CIRCLE AGENCY CONTRACT AS PRESENTED. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 0,

**ABSTAINING – 3 (Susan J. LaFERNIER, Jennifer MISEGAN, Warren C. SWARTZ, Jr.)
ABSENT – 0 MOTION CARRIED.**

MOTION MADE BY EDDY EDWARDS TO APPROVE THE ADVERTISING INC. CONTRACT FOR THE BARAGA CASINO. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED – 1 (Warren C. Swartz, Jr.), ABSTAINING – 2(Susan J. LaFERNIER, Jennifer MISEGAN) ABSENT – 0 MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE CONTRACT WITH LASCO FOR ALL THE UPGRADES TO THE SERVERS AND COMPUTERS AS PRESENTED. SUPPORTED BY CAROLE L. LAPOINTE. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer MISEGAN, Warren C. Swartz, Jr.), OPPOSED – 0, ABSTAINING – 1(Susan J. LaFERNIER) ABSENT – 0 MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO APPROVE \$9700.00 FOR 10-TON ROOFTOP AIR CONDITIONER FROM ALK ON THE CASINO RESTAURANT PLUS THE CRANE ALLOWANCE UP TO \$4300.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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 – 0 MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO TABLE THE GUNDLACH CHAMPION CONTRACT UNTIL THE NEXT MEETING. SUPPORTED BY GARY F. LOONSFOOT, SR. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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 – 0 MOTION CARRIED.

MOTION MADE BY SUSAN J. LAFERNIER TO UPDATE THE FEASIBILITY STUDY FOR THE NEW CASINO. SUPPORTED BY WARREN C. SWARTZ, JR. SIX IN FAVOR (Gary F. Loonsfoot, Sr., Michael F. LaFERNIER, Sr., Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Jennifer MISEGAN, Warren C. Swartz, Jr.), OPPOSED – 6

(Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr., Don Messer, Jr.), ABSTAINING - 0, ABSENT – 0 MOTION DEFEATED.

K. Adjournment:

MOTION MADE BY WARREN C. SWARTZ, JR. TO ADJOURN AT 12:15 P.M. SUPPORTED BY JEAN JOKINEN. TWELVE IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, 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 – 0 MOTION CARRIED.

Next meeting scheduled is Saturday, August 2, 2014 @ 9:00 a.m.

Respectfully submitted,

Robin Roe
Administrative Specialist