

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

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
Fax (906) 353-7540

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
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 15, 2013 – 9:00 A.M.**

A blue ink stamp with a checkmark in a box, the word "APPROVED" in large letters, and the date "2-27-15" written below it.

- A. Date: August 15, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:04 a.m.
- C. Invocation: Lord's Prayer and a number of people to keep in your prayers
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left 11:51 a.m. – 1:03 p.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Jennifer Misegan, Treasurer
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe (left 11:45 a.m. – 1:04 p.m.)
Elizabeth "Chiz" Matthews
Don Messer, Jr.
Absent: Robert R.D. Curtis, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 15, 2013
- | | | |
|------------|-----------------|--|
| Additions: | Closed Session- | 5. President Swartz – Updates on Two Part Gaming Application and EPA Mining Meeting in Chicago |
| | Old Business- | 3. Jennifer Misegan, Treasurer – Clarification for EMT Classes |

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

G. For Your Information:

1. CSBG Plan/Temporary Guidelines from Janice Halverson, CAP Director (CNAP Hardship Funds 5 Guidelines – These guidelines are for the remainder of FY 2013 or until the funding runs out and is intended to service the Tribal households that are CSBG eligible and have not received any CSBG funding with the following exceptions: suggested to eliminate #3 and #4)
2. VOIGT Intertribal Task Force Meeting Minutes June 5, 2013 Lac du Flambeau, Wisconsin

H. Old Business:

1. Larry Denomie III, CEO – BC/BS Tier III Plan for employees not currently covered but classified as full time. The maximum cost is approximately \$90,540.00

The Council will address further during budget reviews.

2. Gary Loonsfoot, Jr., Director of Cultural Resources - Manitou Island Trip

The Council discussed planning two trips with the Police/Conservation Department and boat; one tomorrow and one next week on Friday.

3. Jennifer Misegan, Treasurer – Clarification for EMT Classes

The Council discussed taking this item out of the donations and using a different line item. Debra Picciano will administer the funds and track the completion of the courses.

Break: 10:02 – 10:13 a.m.

I. New Business:

1. Diana Chaudier – Primary Election November 2, 2013/General Election December 14, 2013 Election Timelines

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE 2013 PRIMARY AND GENERAL ELECTION TIMELINES. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

J. Closed Session:

1. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager/Francis LaPointe, CFO – Enterprise Financials

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:25 A.M. SUPPORTED BY CAROLE L. LAPOINTE. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jennifer Misegan, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Robert R.D. Curtis, Jr.), MOTION CARRIED.

(Elizabeth Mayo is out of the room)

Carole LaPointe left at 11:45 a.m.

Elizabeth Mayo left at 11:51 a.m.

Lunch: 11:52 a.m. – 12:59 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 1:00 P.M. SUPPORTED BY DON MESSER, JR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Jennifer Misegan, Robert R.D. Curtis, Jr., Carole L. LaPointe), MOTION CARRIED.

2nd Reading Proposed Ordinance 2013-03 Clarification to Title 21B.604 of the Tobacco Ordinance of 2008 by adding: Community’s members *who are 18 years of age and older and* – 1:00 p.m.

Elizabeth Mayo returned at 1:03 p.m.

Carole LaPointe returned at 1:04 p.m.

[See Legislative File]

President Swartz read the Legislative Process and Public Hearing Procedures.

Present:

President Swartz	Elizabeth Mayo	Peggy Loonsfoot
Susan LaFerner	Toni Minton	Eddy Edwards
Jennifer Misegan	Fred Dakota	John Jacker
Jean Jokinen	Mike LaFerner, Sr.	Joseph White
Carole LaPointe	Elizabeth Matthews	Richard Morro
Don Messer, Jr.	Larry Denomie III	Gerald Kirkish

President Swartz opened for public comments.

Eddy Edwards provided written comment. He believes the law states that all members are entitled to share the proceeds of the tobacco sales ages under 18 included.

Jennifer Misegan returned from lunch at 1:09 p.m.

Gerald Kirkish gave verbal comment that he is in agreement with Eddy Edwards and he feels the money could be put into a scholarship account for the children rather than giving it directly to a minor.

John Jacker gave verbal comment that the money should be put in a trust fund for the kids until they reach eighteen.

Joseph White gave verbal comment that he is in agreement with the others to include everyone in the community.

Larry Denomie III provided written comment. He clarified 21B.604: Eligibility requirements for Community members, other than those specified in this section, shall be further defined in guidelines approved by the Tribal Council.

Jean Jokinen gave verbal comment to follow the residence territories from the Constitution. She feels you cannot just pick the two counties of Baraga and Marquette because it is not fair to those tribal members that live in other counties.

Jennifer Misegan gave verbal comment that the intention of the Ordinance, which she brought forward, was to continue with the two counties that were already covered for several years and the age has always been eighteen and over.

President Swartz closed the 2nd Reading at 1:13 p.m.

The Council will schedule the 3rd Reading during the Budget Reviews and will provide a two week notice.

[Closed Session]

2. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager/Francis LaPointe, CFO – Enterprise Financials
3. Gary Loonsfoot, Jr., Director of Cultural Resources – Powwow Issues
4. Ron Hueckstaedt, Background Investigator – Adjudication of Steven Cadeau (5) Years
5. Larry Denomie III, CEO - Director of Fire Management Issue
6. President Swartz – Updates on Two Part Gaming Application and EPA (Mining) Meeting in Chicago with Dr. Susan Hedman and Tribes (Listening Sessions)

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 1:18 P.M. SUPPORTED BY SUSAN J. LAFERNIER. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Break: 2:05 – 2:16 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 3:31 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Adjudication of Steven Cadeau – (5) Years

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FIVE YEAR ADJUDICATION OF STEVE CADEAU. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

[New Business]

2. Bruce LaPointe, Projects Manager – Robillard Creek Culvert/Fish Passage Bids (3) – Bruce is recommending U.P. Concrete Pipe Co. as they do not require fifty percent down payment.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE U.P. CONCRETE PIPE CO. IN THE AMOUNT OF \$11,592.00 FOR A TWELVE GAGE PIPE AND \$15,057.00 FOR A TEN GAGE PIPE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

3. Jean Jokinen – Great Lakes Fishery Trust Application – requires a match of \$10,804.00

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE GREAT LAKES FISHERY TRUST APPLICATION FOR A DOCK IN ZEB AND TO ALSO SUBMIT FOR A FISH CLEANING STATION. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

5. Susan LaFerner, Secretary –

a) Secretary's Report/July 2013

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

b) Schedule Summer Youth Termination Hearing Case #002-13

Susan stated there is an additional youth hearing that is coming and requested both be scheduled.

The hearing is scheduled for August 29, 2013 at 1:00 p.m. and schedule the second one at 1:30 p.m.

K. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:57 P.M. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Robert R.D. Curtis, Jr.), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 15, 2013 – 9:00 A.M.

A. Date: August 15, 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. LaFermier, Secretary
 ___ Toni J. Minton, Assistant Secretary
 ___ Jennifer Misegan, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Fred Dakota
 ___ Jean Jokinen
 ___ Michael F. LaFermier, Sr.
 ___ Carole L. LaPointe
 ___ Elizabeth "Chiz" Matthews
 ___ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: August 15, 2013

G. For Your Information:

1. CSBG Plan/Guidelines from Janice Halverson, CAP Director
2. VOIGT Intertribal Task Force Meeting Minutes June 5, 2013 Lac du Flambeau, Wisconsin

H. Old Business:

1. Larry Denomie III, CEO – BC/BS Tier III Plan
2. Gary Loonsfoot, Jr., Director of Cultural Resources - Manitou Island Trip

I. New Business:

1. Diana Chaudier – Primary/General 2013 Election Timelines
2. Bruce LaPointe, Projects Manager – Robillard Creek Culvert/Fish Passage Bids (3)
3. Jean Jokinen – Great Lakes Fishery Trust Application
4. Larry Denomie III, CEO – Weekly Update

5. Susan LaFornier, Secretary –
 - a) Secretary's Report/July 2013
 - b) Schedule Youth Termination Hearing Case #002-13

J. Closed Session:

1. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager/Francis LaPointe, CFO – Enterprise Financials – **10:00 a.m.**
2. Gary Loonsfoot, Jr., Director of Cultural Resources – Powwow Issues
3. Ron Hueckstaedt, Background Investigator – Adjudication of Steve Cadeau (5) Year
4. Larry Denomie III, CEO - Director of Fire Management Issue

K. Adjournment:

**2nd Reading Proposed Ordinance 2013-03 Clarification to Title 21B.604
of the Tobacco Ordinance of 2008 – 1:00 p.m.**