

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
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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 – AUGUST 3, 2013 – 9:00 A.M.**

APPROVED
2-27-15

- A. Date: August 3, 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 Chiz Matthews' health and others who are suffering
- D. Roll Call: Present: Warren C. Swartz, Jr., 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.

Absent: Elizabeth D. Mayo, Vice President

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

- F. Approval of Agenda: August 3, 2013

Deletions:

- H. President's Report/July 2013
I. Secretary Report/July 2013
J. CEO's Report/July 2013

- Additions: Recognize Scheduled Delegation/Individuals-
Old Business-

1. Sandra Cribbs – Donation Request for Travel Expenses
1. Jean Jokinen – Donation Request for George Curtis' Casket

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (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, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

G. For Your Information:

1. A “Thank you” from the North Star Academy

H. Treasurer’s Report/July 2013 – Verbal Report

MOTION MADE BY TONI J. MINTON TO APPROVE THE JULY 2013 TREASURER’S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (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, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

I. Department Head Reports – June 2013

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

J. Recognize Scheduled Delegation/Individuals:

1. Sandra Cribbs – Donation Request for Travel Expenses to attend her son Jorey Cribbs’ Army Basic Training Graduation Ceremony on September 11-15, 2013 in Georgia for \$1,691.97

The Council will take her request into consideration with the August 2013 Donations.

K. Old Business:

1. Jean Jokinen – Donation Request for George Curtis’ Casket (additional costs)

MOTION MADE BY JEAN JOKINEN TO APPROVE THE ADDITIONAL COST OF GEORGE CURTIS' CASKET IN THE AMOUNT OF \$3,992.00. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO TABLE THE REQUEST UNTIL THE BURIAL PROGRAM IS REVIEWED NEXT WEEK. SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe), FOUR OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth "Chiz" Matthews, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

L. New Business:

1. Jennifer Misegan, Treasurer – Donations August 2013 – Total \$850.00

MOTION MADE BY TONI J. MINTON TO APPROVE THE AUGUST 2013 DONATIONS AS THE FOLLOWING: \$500.00 TO THE OMEGA HOUSE AND A \$350.00 SPONSORSHIP TOWARDS THE BARAGA COUNTY COMMUNITY FOUNDATION TONY SELKEY MEMORIAL GOLF SCRAMBLE. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), TWO OPPOSED (Jennifer Misegan, Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

2. Susan LaFernier, Secretary – 1st Reading Proposed Ordinance 2013-03 to Amend Tobacco Ordinance 2008-02 to add: Community's members *who are 18 years of age and older and*

President Swartz read the Legislative Process.

MOTION MADE BY SUSAN J. LAFERNIER TO INTRODUCE PROPOSED ORDINANCE CLARIFICATION TO TITLE 21B.604 OF THE TOBACCO ORDINANCE OF 2008. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (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, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

The 2nd Reading was scheduled for August 15, 2013 at 1:00 p.m. (Public Hearing)

3. President Swartz – ALK Contracting, Inc. Services Agreement (for the removal and installation of rooftop units related to the air conditioning and heating at the Baraga Casino by August 31, 2013)

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE SERVICES AGREEMENT WITH ALK CONTRACTING, INC. IN THE AMOUNT OF \$31,000.00 FOR THE OJIBWA CASINO. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (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, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 9:38 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (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, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – AUGUST 3, 2013 – 9:00 A.M.

A. Date: August 3, 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. LaFemier, Secretary
- ___ Toni J. Minton, Assistant Secretary
- ___ Jennifer Misegan, Treasurer
- ___ Robert R.D. Curtis, Jr.
- ___ Fred Dakota
- ___ Jean Jokinen
- ___ Michael F. LaFemier, Sr.
- ___ Carole L. LaPointe
- ___ Elizabeth "Chiz" Matthews
- ___ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: August 3, 2013

G. For Your Information:

1. A "Thank you" from the North Star Academy

H. President's Report/July 2013

I. Secretary's Report/July 2013

J. Treasurer's Report/July 2013

K. CEO's Report/July 2013

L. Department Head Reports – June 2013

M. Recognize Scheduled Delegation/Individuals:

N. Old Business:

O. New Business:

1. Jennifer Misegan, Treasurer -- Donations August 2013
2. Susan LaFernier, Secretary -- 1st Reading Proposed Ordinance 2013-03 to Amend Tobacco Ordinance 2008-02

P. Closed Session:

Q. Adjournment:

KEWEENAW BAY INDIAN COMMUNITY
TRIBAL COUNCIL
Susan J. LaFernier

July 2013 Report from the Secretary to the Council/Community
(for the August 3, 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

We hope you are enjoying the Summer and the blueberries are ready to be picked!

As you know, the Rio Tinto Nickel Company finalized the sale and closing of the acquisition of the Eagle Mine Project to Lundin Mining Corporation on July 17, 2013 for 315 million. For our information, the Tribal Council approved Resolution KB 1944-2013 on July 11th which is a moratorium to ensure the protection of the health, security, and welfare of our Reservation Homeland, the people, the culture and environment of the Keweenaw Bay Indian Community for future generations from the potential adverse effects of metal mining or processing. The Tribal Council hereby prohibits metal mineral exploration and mining activities within the boundaries of its Reservation Homeland and all activities related thereto for a period not to exceed five (5) years until the Tribal Council adopts a mining regulatory ordinance that will govern mineral exploration and mining activities within the Reservation.

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. "Come Celebrate Lake Superior Day" was held on Friday, July 19, 2013 sponsored by the KBIC Natural Resources Department with beach cleanup from Assinins to Pequaming. Lunch was provided by the KBIC W.H.I.P.P. Task Force at the Sand Point Light House day use area. Thanks to everyone who helped clean (especially our youth) and to Larry for grilling.

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!

The Drug Tip Line number is 353-DRUG or 353-3784

The yellow banners are around the Reservation with this drug tip line number displayed. The Drug Task Force holds monthly meetings. The Drug Task Force Mission Statement: "To promote education through public awareness with the specific objective to eliminate the use of "illegal drugs" for the betterment of the health, welfare, and safety of the Keweenaw Bay Indian Community and our neighboring Communities".

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. 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

The Tribal Council held the Regular Saturday Meeting on July 13, 2013 at the Ojibwa Motel Conference Room. This meeting is reported in the August Tribal newsletter. (2) Special Council meetings were also held. Following are the unapproved motions for July.

July 11, 2013:

- Approved the Engagement Agreement with Fabian Ramirez for a bullying prevention and drug abuse prevention speaking engagement with the Youth on July 22, 2013 for \$2,500.00
- Approved the Tribal Limited Liability Company Code fees at \$100.00 and \$25.00 for renewal
- Approved the Journal Broadcast Group Green Bay Radio Network Affiliate Agreement with WCUP (football games) and the Affiliation Agreement WXYT Detroit Lions Radio Network with WGLI (Radio Stations)
- Approved the USDA supplemental funding request and cash match for a solar system installation for the Commodity Foods Building
- Approved the Services Agreement with Vultaggio Services, Inc. (Paisano Paving) for the Commodity Foods Warehouse paving on the north side for \$36,806.00
- Approved to remove 20 IGT S2000 reel games and to install 20 WMS Blue Bird 2's at the Baraga and Marquette Casinos (Slot Machine Agreements)
- Approved the Baraga and Marquette Casinos amendments to the Master Lease Agreements and amendments to the Master Purchase Agreements with WMS Gaming, Inc.
- Approved the Pines Convenience Center starting wage increase to a Grade 3 \$8.91 and the revised position announcement for the Cashier effective July 14, 2013
- Approved Resolution KB 1944-2013 "Moratorium on Metal Mining" (prohibits metal mineral exploration and mining activities) on the Reservation Homeland for 5 years
- Approved to appoint a lawyer(s) temporarily to be paid hourly for contract review

- Approved to compensate Liana Loonsfoot retroactive for the OVW Transition House Coordinator duties pending approval of the grant adjustment notice from the Department of Justice

July 25, 2013 :

- Approved the June 2013 unapproved motions from the Tribal Council Secretary's June Report
- Defeated a motion to pay the July 5th holiday (by motion) the same as July 4th. The President broke the tie vote
- Approved to pay the employees that did not work on July 5th as a paid holiday for those who follow the Enterprise Policy
- Approved the creation of a Tribal Face Book page, approved the Social Media Policy with the changes and have the I.T. Department administer the page
- Approved the I.T.C./KBIC MOU to support the activities under the Cancer Data Analysis Project funded by the MI Department of Community Health-Cancer Registry Department May-September 2013
- Approved the KBIC Pre-Primary Education Program license renewal for the Child Care Center
- Approved utilizing the balance of the 511 fund senior heating funds for the CSBG clients and have the CAP Administrator bring a written plan for funding programs for the remaining year (for next week's meeting)
- Approved to change the 2013 Christmas Gift Check Guidelines: change residency from October 1st to September 1st and #6 take out: "and continue to maintain a residence" (if serving in the military)
- Defeated a motion to change giving the Christmas Gift funding to all community members as the tobacco ordinance states and not only to those 18 years of age or older
- Approved to table a motion for more information to approve the Blue Cross Blue Shield plan for the Tier III employees (Pines, Pressbox, Radio) and offer the same coverage as the Enterprise hourly employees
- Approved the Reimbursable Agreement between the U.S. Fish & Wildlife Service Department of Interior and KBIC for 3 years (October 2012-September 2015) for \$3,220.00 for annual

complete fish health inspections pending CEO review (Natural Resource Department)

- Approved the adjudication of Dale Dakota, Police Commissioner
- Approved the Engagement Letter with Schechter Dokken Kanter and authorized Heather Chapman, Attorney to sign the engagement letter and to handle the matter from this time forward (Ojibwa Housing Authority Forensic Audit)
- Approved to have the Ojibwa Housing Authority pay the \$5,000.00 retainer and have the group handle the audit as recommended by the auditors (Council Treasurer, Council member, Attorney, Assistant CEO)
- Approved to interview the three (3) applicants for the Building Inspector position and the KBIC applicants that are qualified for the TERO Director position (6)