

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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2014 TRIBAL COUNCIL

DONALD SHALIFOE, SR., Ojibwa
CAROLE L. LAPOINTE, Vice Chairwoman
JEAN JOKINEN, Secretary
GARY F. LOONSFOOT, SR., Asst. 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.

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – MAY 23, 2013 – 9:00 A.M.

COPY

APPROVED

10-30-14

- A. Date: May 23, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord's Prayer and prayers for those in need after the hurricane in Oklahoma
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left 9:45 – 10:20 a.m.)
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe
Elizabeth "Chiz" Matthews
Don Messer, Jr.
Absent: Jennifer Misegan, Treasurer
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: May 23, 2013
- | | | |
|------------|-----------------|---|
| Additions: | New Business- | 10. Larry Denomie III, CEO – b) Background Investigation Policy Amendment |
| | | 11. Carole LaPointe – Resolution KB-1936-2013 Support For One Definition of Indian under the Patient Protection and Affordable Care Act |
| | Closed Session- | 1. President Swartz – Two-Part Gaming Application Conference Call |
| Deletion: | Old Business- | 1. Robert R.D. Curtis, Jr. – Bob Perkell Entertainment Agreement |

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

G. For Your Information:

1. Telephone Poll May 20, 2013 regarding the Adjudicating Panel and ICWA Committee appointments
2. The Mining Journal Article *Commercial Fishing Decline Hits Economies, Communities* May 17, 2013
3. Natural Resources Department (NRD) Newsletter *Babaamaajimowin Akiing*
4. February FY2013 Financial Report-Ojibwa Casino Resort
5. February FY2013 Financial Report-Ojibwa Casino II
6. March FY2013 Financial Report-Ojibwa Casino Resort
7. March FY2013 Financial Report-Ojibwa Casino II

H. New Business:

1. Janice Halverson, CAP Administrator –(8) LIHEAP Applicants Funding Request. The current LIHEAP funding has been depleted.

MOTION MADE BY ELIZABETH D. MAYO TO REQUEST THE LIHEAP APPLICANTS TO SEEK OTHER FUNDING SOURCES AND SUBMIT DENIALS. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

2. Micah Petoskey, Water Resources Specialist/Lori Sherman, NRD Director – Match Expense for 106 Grant – Water Quality

MOTION MADE BY FRED DAKOTA TO APPROVE THE MATCH EXPENSE FOR THE WATER PROGRAM 106 GRANT IN THE AMOUNT OF \$3,379.50. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

3. Erin Johnston, Lake Superior Program Coordinator – Valoree Gagnon Consultant Agreement for Community Survey Data Summary until August 2013 for \$4,000.00 for a Tribal Wildlife and Natural Resources Community Survey

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE DATA SUMMARY SERVICES AGREEMENT AND CONSULTANT AGREEMENT WITH VALOREE GAGNON UP TO \$4,000.00. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

4. Brad Dakota, Chief Judge - Amendment to Rebecca Panasiewicz Services Agreement (Date extension)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AMENDMENT TO REBECCA PANASIEWICZ SERVICES AGREEMENT. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Toni Minton left at 9:45 a.m.

5. President Swartz –

- a) Resolution KB-1934-2013 Baraga 2%

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1934-2013 BARAGA TWO PERCENT. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Michael F. LaFernier, Sr.), THREE ABSENT (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- b) Resolution KB-1935-2013 Marquette 2%

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1935-2013 MARQUETTE TWO PERCENT. SUPPORTED BY DON MESSER, JR. SIX IN FAVOR (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Michael F. LaFernier, Sr.), THREE ABSENT (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

- c) Donation Request for Donald Denomie, Jr. for the U. of M. High School Football Camp for \$435.00

MOTION MADE BY ELIZABETH D. MAYO TO DENY THE REQUEST SUPPORTED BY FRED DAKOTA.

The motion was withdrawn until there is confirmation that Donald Denomie, Jr. has exhausted his youth activity funds.

6. Charles Miller, SORNA Coordinator – Live Scan Interface Application/Automated Fingerprint Identification System (AFIS) and Criminal History Record Information System Agreement/Applicant Fingerprint Transmission Fee Collection Agreement to Michigan State Police for electronic transfer of Live Scan Information to the State Police and FBI – Policy/Procedures/Agreements

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE POLICIES, PROCEDURES, AND AGREEMENTS FOR THE LIVE SCAN TRANSMISSIONS TO THE STATE POLICE AND FBI. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

7. Jason Ayres, Realty Officer – Resolution KB-1932-2013 Awkewayzeence (Michael, Sophia, John), Mongoose and Head Allotment Interest Acquisition for \$56,706.49 from Noreen Perrault who inherited this land.

The Council directed Jason to investigate the legality of the sale of allotments from Non-Natives.

MOTION MADE BY SUSAN J. LAFERNIER TO TABLE RESOLUTION KB-1932-2013. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

8. Jacki Skytta, Casinos Marketing Manager/Dotti Pryor, Pressbox Manager – Entertainment Agreement with Funny Business Agency, Inc. Comedian Contract for New Year’s Eve - (change the location from Pressbox to Big Bucks Bingo Hall)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE ENTERTAINMENT AGREEMENT WITH FUNNY BUSINESS AGENCY, INC. WITH THE CHANGE IN THE AMOUNT OF \$2,500.00. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

9. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager - Michael Joseph License Agreement Renewal for Marquette Casino for on-line training materials

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE LICENSE AGREEMENT LEASE RENEWAL WITH MICHAEL JOSEPH FOR THE MARQUETTE PROPERTY IN THE AMOUNT OF \$1,995.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Don Messer, Jr.), ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

10. Larry Denomie III, CEO –

a) Weekly Update

Toni Minton returned at 10:20 a.m.

b) Background Investigations Policy Amendment: Process-Background investigations for individuals subject to the Indian Child Protection and Family Violence Prevention Act shall be reviewed individually by the (change Indian Child Welfare/Justice Committee to Adjudicating Panel

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AMENDMENT TO THE BACKGROUND INVESTIGATION POLICY. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Rick Geroux (not on the agenda) – Request for house repairs for his grandchildren.

MOTION MADE BY FRED DAKOTA TO APPROVE THE REPAIRS IN THE AMOUNT OF \$3,851.93 from Ojibwa Builders. SUPPORTED BY ELIZABETH D. MAYO.

The Council requested to speak with Dianne Waara as the house is in her name.

Break: 11:08 – 11:22 a.m.

Dianne Waara present. The Council recommended that Dianne apply for a low interest loan through Ojibwa Housing Authority and she agreed.

MOTION MADE BY TONI J. MINTON TO TABLE RICK GEROUX’S REQUEST UNTIL AFTER THE OHA BOARD MEETING ON MAY 28, 2013. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

11. Carole LaPointe, Health Director – Resolution KB-1936-2013 Support For One Definition of “Indian” under the Patient Protection and Affordable Care Act which would include descendents that was taken out. The Snyder Act does include descendents which was ignored. This resolution will be sent to NCAI (National Congress of American Indians) and the NIHB (National Indian Health Board).

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-1936-2013 SUPPORT FOR ONE DEFINITION OF “INDIAN” UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Lunch: 11:52 a.m. – 1:04 p.m.

I. Recognize Scheduled Delegation/Individuals:

1. Erin Johnston, Lake Superior Program Coordinator/Lori Sherman, NRD Director/Jerry Jondreau, Forester – Climate Change Power Point Presentation. The Council’s suggestion was to go forward on a Climate change program.

J. Closed Session:

1. President Swartz – Two-Part Gaming Application Conference Call Update

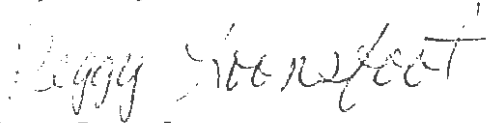
MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:45 P.M. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 2:04 P.M. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:05 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Loonsfoot".

Peggy Loonsfoot
Administrative Specialist