

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
16429 Beartown Road
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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.

10-30-14

APPROVED

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – MARCH 7, 2013 – 9:00 A.M.

COPY

- A. Date: March 7, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:02 a.m.
- C. Invocation: Lord's Prayer and prayers for Blue Misegan, Loretta Hugo, and Bill St. George
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left 3:11 – 3:24 p.m.) (left 9:41-10:30 a.m.)
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (arrived at 9:07 a.m.)
Jennifer Misegan, Treasurer (left at 12:12 p.m.)
Robert R.D. Curtis, Jr.
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe
Elizabeth "Chiz" Matthews
Don Messer, Jr.
Absent: Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 7, 2013
- Additions: Recognize Scheduled Delegation/Individuals- 1. Rodney Loonsfoot --
Hiring Committee Concern
New Business- 7. Carole LaPointe -- b) MDCH
4x4 Grant Match of \$500.00

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

G. For Your Information:

1. A copy of the letter regarding the Annual Performance Report (OHA) ending September 30, 2012 from the U.S. Department of Housing & Urban Development
2. A letter from the US Dept. of the Interior postponing the Partners in Action Conference- FY13 scheduled for the week of April 15, 2013
3. Review Resolution KB-1914-2013 and Election Ordinance from January 24, 2013 meeting

Toni Minton arrived at 9:07 a.m.

H. Recognize Scheduled Delegation/Individuals:

1. Rodney Loonsfoot – Hiring Committee Concern relating to the minutes

MOTION MADE BY CAROLE L. LAPOINTE TO GO INTO CLOSED SESSION AT 9:08 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 9:40 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Toni Minton left at 9:41 a.m.

I. Old Business:

1. Micah Petoskey – Treatment as a State for Water Quality Update

MOTION MADE BY JEAN JOKINEN TO MOVE FORWARD WITH THE APPLICATION FOR TREATMENT AS A STATE FOR WATER QUALITY AND TO INCLUDE THE RESERVATION. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

A panel will be selected in two weeks for the Treatment as a State application.

2. Lindy Grell, Tribal Attorney – Jeff Lamson Business and Liquor License Renewal (On-Premise) for Cue Master

MOTION MADE BY JENNIFER MISEGAN TO TABLE JEFF LAMSON’S BUSINESS AND LIQUOR LICENSES RENEWAL FOR THE CUE MASTER UNTIL THE TAM CERTIFICATIONS ARE RECEIVED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. No vote was taken

Jeff Lamson present: He stated that three employees received the TAMS Training and the certifications will be mailed. He did not know about this requirement from last year.

Break: 10:03 – 10:13 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE JEFF LAMSON’S BUSINESS AND LIQUOR LICENSES RENEWAL FOR THE CUE MASTER. SUPPORTED BY DON MESSER, JR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), TWO ABSTAINING (Michael F. LaFernier, Sr., Jennifer Misegan), ONE ABSENT (Fred Dakota), MOTION CARRIED.

The Council would like the Attorneys Office to notify liquor license applicants that they are required to have the TAMS Certification.

J. New Business:

1. Jerry Jondreau, Tribal Forester – Resolution KB-1928-2013 National Park Service Historic Preservation Fund Grant for the KBIC Sugar Bush Project \$24,553.00

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE RESOLUTION KB-1928-2013 HISTORIC PRESERVATION GRANT. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

[Old Business]

3. Jim Stingle, Grant Writer – ICDBG Project List FY2013

The Council will select five projects during the finance meeting and invite the Ojibwa Housing Authority to attend the upcoming Saturday meeting to inform the Council what they are applying for ICDBG.

Toni Minton returned at 10:30 a.m.

[New Business]

2. Megan Shanahan, KB OCC – Social Media in the Workplace Training 10:35-11:35 a.m.

[Old Business]

4. Lori Ann Sherman, NRD Director/Char Spruce, Environmental Specialist – L’Anse Warden Electric Company Plant EPA Report Update. The plant was in compliance but there are still concerns about the proposed pollution. They will draft a list of recommendations.

[New Business]

3. Char Spruce, Environmental Specialist – Spring Cleanup – May 20-24 curbside pick-up and May 28-29 drop-off
4. Ken Marshall, GIS Specialist/Christoph Geiger, Deputy Tribal Attorney – LiDAR Bids (2) and Professional Services Agreement – Aero Metric, Inc. \$45,000.00 is the low bid to be paid from the THPO Budget

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE LIDAR BID AND PROFESSIONAL SERVICES AGREEMENT WITH AERO-METRIC, INC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

5. David Haataja, GM,/Dale Shalifoe, Baraga Casino Assistant General Manager - Michael Joseph License Agreement Renewal (Baraga Casino) for “Training in Gamings On-Line Casino Training System”

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE MICHAEL JOSEPH LICENSE AGREEMENT RENEWAL UNTIL SURVEILLANCE REPORTS ARE REVIEWED. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Lunch: 12:12 – 1:03 p.m. (Jennifer Misegan left at lunch)

6. Bruce LaPointe, Projects Manager –
 - a) Resolution KB-1924-2013 Tribal Transportation Program (TTP) Road Inventory Changes (adds parking lots and trail systems)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1924-2013 TRIBAL TRANSPORTATION PROGRAM ROAD INVENTORY CHANGES. SUPPORTED BY JEAN JOKINEN. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

b) Resolution KB-1927-2013 Tribal Transportation Program Agreement and Referenced Funding Agreement/Retained Services Addendum

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-1927-2013 TRIBAL TRANSPORTATION PROGRAM AGREEMENT. SUPPORTED BY JEAN JOKINEN. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

7. Jason Ayres, Realty Officer

a) Resolution KB-1926-2013 Gerald G. Clisch (non-Indian) and Shirley J. Clisch (KBIC) Residential Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1926-2013 SHIRLEY J. CLISCH RESIDENTIAL LEASE. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

b) Road Names (2): The Marquette Casino and Community Center have the same address. The main road to the Casino needs a name.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NAME “ZHOONIYAA (MONEY) MIIKANA” FOR THE ROAD IN FRONT OF THE CASINO AND LEAVE THE ROAD BEHIND IT AS “ACRE”. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NAME “MANNING ROAD” FOR THE ROAD IN BARAGA OFF OF WADAGA ROAD BY THE PRISON. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Snsan J. LaFernier, Toni J. Minton, Robert R.D. Cnrtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), TWO OPPOSED (Jean Jokinen, Elizabeth “Chiz” Matthews), ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

8. Carole LaPointe, Health Director –

- a) National Pharmaceutical Returns, Inc. (NPR) Service Contract (to return unused drugs from the Pharmacy)

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

- b) M.O.A. ITC MDCH 4x4 Grant of \$10,000.00 with Match of \$500.00 and \$2,000.00 in-kind salary/other

MOTION MADE BY JEAN JOKINEN TO APPROVE THE MOA WITH ITC UNDER THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH CARDIOVASCULAR HEALTH, NUTRITION, AND PHYSICAL ACTIVITY SECTION CONTRACT. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

K. Closed Session:

1. Brandy Chosa, Gaming Commission Secretary – Background Adjudication Request for ICWA Committee Member
2. Ed Janisse, Eagle Radio Operations General Manager – Hancock Sub-Lease Discussion
3. Heather Chapman, Assistant Tribal Attorney/Lindy Grell, Tribal Attorney/Sarah Maki – IHS CSC case

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:30 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, TWO ABSENT (Jennifer Misegan, Fred Dakota), MOTION CARRIED.

Break: 1:31 – 1:36 p.m.

Break: 2:07 – 2:15 p.m.

Elizabeth Mayo left 3:11 – 3:24 p.m.

MOTION MADE BY TONI J. MINTON TO GO INTO OPEN SESSION AT 3:30 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT(Jennifer Misegan, Fred Dakota), MOTION CARRIED.

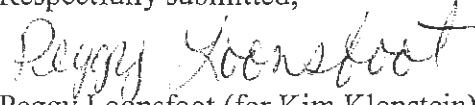
Adjudication of Debra Picciano –

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE A FIVE YEAR ADJUDICATION OF ICWA MEMBER DEBRA PICCIANO. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT(Jennifer Misegan, Fred Dakota), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:33 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT(Jennifer Misegan, Fred Dakota), MOTION CARRIED.

Respectfully submitted,


Peggy Loonsfoot (for Kim Klopstein)
Administrative Specialist