

KEWEENAW BAY INDIAN COMMUNITY

2022 TRIBAL COUNCIL

KIM KLOPSTEIN, President
SUSAN J. LAFERNIER, Vice President
TONI J. MINTON, Secretary
DON MESSER, Assistant Secretary
RANDALL R. HAATAJA, Treasurer

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

DOREEN G. BLAKER
ROBERT "R.D." CURTIS, JR.
EDDY EDWARDS
SUE ELLEN ELMBLAD
ELIZABETH "LIZ" JULIO
GARY F. LOONSFOOT, JR.
RODNEY LOONSFOOT

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
NIIWIN AKEAA CENTER/COUNCIL CHAMBERS ROOM 112
111 BEARTOWN ROAD, BARAGA, MI 49908
WEDNESDAY – April 20, 2022 – 9:00 A.M.

- A. Date: April 20, 2022
- B. Call to Order: President Klopstein called the meeting to order at 9:07 a.m.
- C. Invocation: Ojibwa Prayer by Elizabeth "Liz" Julio
- D. Roll Call: Present: Kim Klopstein, President
Susan J. LaFernier, Vice President
Toni J. Minton, Secretary
Don Messer, Assistant Secretary
Randall R. Haataja, Treasurer
Doreen G. Blaker
Robert R.D. Curtis, Jr. (via Zoom)
Eddy Edwards
Sue Ellen Elmblad
Elizabeth "Liz" Julio
Rodney Loonsfoot
- Absent: Gary F. Loonsfoot, Jr.

APPROVED

AUG 10 2022

KBIC PRESIDENT'S OFFICE
SIGNATURE: 

- E. Declaration of Quorum: President Klopstein declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: April 20, 2022
- Deletions: New Business: 6. Gary F. Loonsfoot, Jr. – Weekly Update
7. Brigitte LaPointe-Dunham – c. Weekly Update
Old Business: 1. 2nd Reading Proposed Ordinance 2022-05 Title 3 –
Criminal Offenses and Penalties – Amendments to Criminal Code until May 11, 2022

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

G. For Your Information:

1. Retirement Luncheon Invitation for Lawrence Denomie, III – April 22, 2022
2. KBIC Tobacco Agent Quarterly Report for January 2022 – March 2022
3. Baraga County Chamber of Commerce Mix and Mingle Event April 22, 2022
4. Thank You from Ariel Gougeon (Albany Law School student)
5. Approval of 8 Enrollment Applications on March 11, 2022

H. Approval of Meeting Minutes

1. May 15, 2020

MOTION MADE BY DOREEN G. BLAKER TO TABLE THE MAY 15, 2020 MEETING MINUTES UNTIL THEY ARE CORRECTED. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 2 (Sue Ellen Elmblad, Elizabeth "Liz" Julio), ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

Correct motion on 3rd page-3rd motion (Kim K. making the motion and supporting)

2. May 20, 2020

MOTION MADE BY DON MESSER TO APPROVE MAY 20, 2020 MEETING MINUTES. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 2 (Sue Ellen Elmblad, Elizabeth "Liz" Julio), ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

MOTION MADE BY RODNEY LOONSFOOT TO GO INTO CLOSED SESSION AT 9:15 A.M. SUPPORTED BY ELIZABETH "LIZ" JULIO. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

I. Closed Session:

1. Kevin Carlisle, Tribal Attorney –
 - a. Josh Clause/Josh Pitre/Skip Durocher – Land Claims Update
 - b. Weekly Update

Eddy Edwards out of room: 10:23 a.m. – 10:33 a.m.

Break: 10:33 a.m. – 10:43 a.m.

2. Kim Klopstein, President – Exit Interview with Larry Denomie, III – Ojibwa Casinos General Manager

MOTION MADE BY DON MESSER TO GO INTO OPEN SESSION AT 11:55 A.M. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth “Liz” Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO APPROVE THE PRESSBOX RENOVATION BUDGET PREPARED BY GUNDLACH CHAMPION AND REMOVING ITEMS THAT WILL BE PAID OUT OF THE CASINO’S CAPITAL BUDGET FOR \$160,000.00 AS PRESENTED. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth “Liz” Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 1 (Doreen G. Blaker), ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

J. New Business:

1. Larry Denomie, III, Ojibwa Casinos General Manager – Weekly Update (Closed Session)
2. Suzie Crawford – Grave Marker Increases (Norway Granite)

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE INCREASE FOR THE GRAVE MARKERS TO \$860 FOR NON-VETERANS AND \$910 FOR VETERANS. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth “Liz” Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

3. Rachel Tarpey, Forester – Amendment to Portable Logging Bridge Bid from September 2, 2020. After completion, its weight and length were too large to be transported efficiently. They can shorten on both ends without compromising the integrity and strength of the bridge.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE VAN STRATEN BROTHERS, INC. BID FOR \$6,500.00 TO SHORTEN THE PORTABLE LOGGING BRIDGE. SUPPORTED BY DOREEN G. BLAKER. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

4. Elizabeth "Liz" Julio, Education Director –

- a. Baraga Area Schools IPP (Indian Policies and Procedures) Impact Aid 2021-2022. The KBIC Education Committee reviewed the application with minor changes, it will be presented to the School Board for approval

MOTION MADE BY DOREEN G. BLAKER TO SUPPORT THE BARAGA AREA SCHOOLS IPP AS PRESENTED. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 1 (Elizabeth "Liz" Julio), ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

- b. L'Anse Area Schools MOU – Their IPP application is in draft form. The consensus of the Council is to hear a recommendation from the Education Committee and Director on the draft on Friday, April 22, 2022.

MOTION MADE BY DOREEN G. BLAKER TO APPOINT THE EDUCATION DIRECTOR AS THE AUTHORIZED SIGNATURE ON IMPACT AID APPLICATIONS. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 1 (Elizabeth "Liz" Julio), ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

5. Kim Klopstein, President – Fourth of July Holiday Recommendation

MOTION MADE BY EDDY EDWARDS TO APPROVE THE FOURTH OF JULY HOLIDAY TO BE JULY 1ST AND JULY 4TH OFF. CO-SUPPORTED BY SUE ELLEN ELMLAD AND ELIZABETH "LIZ" JULIO. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

6. Brigitte LaPointe-Dunham, CEO –

- a. Tribal Social Services On-Call Rate of Pay Structure. See Personnel Policy 7.11 After Regular Business Hours Emergency On-Call Work

MOTION MADE BY EDDY EDWARDS TO APPROVE THE ON-CALL STRUCTURE FOR TRIBAL SOCIAL SERVICES AS PRESENTED. CO-SUPPORTED BY DOREEN G. BLAKER AND DON MESSER. NINE IN FAVOR (Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 1 (Susan J. LaFernier), ABSENT – 1 (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

- b. 23.0 Drug Free Workplace Policy/23.1 Policy: Pre-Employment Testing.
3 Options were presented for positions that would be required to test negative for THC

MOTION MADE BY EDDY EDWARDS TO APPROVE OPTION #2.

MOTION MADE BY EDDY EDWARDS TO APPROVE OPTION #3 TO ELIMINATE PRE-EMPLOYMENT DRUG TESTING FOR THC FOR ALL KBIC POSITIONS. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 1 (Susan J. LaFernier), ABSTAINING – 1 (Robert R.D. Curtis, Jr.), ABSENT – 1 (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO REMOVE THC FROM POST-ACCIDENT TESTING. SUPPORTED BY SUE ELLEN ELMBLAD. FOUR IN FAVOR (Don Messer, Eddy Edwards, Sue Ellen Elmblad, Rodney Loonsfoot), OPPOSED – 3 (Susan J. LaFernier, Toni J. Minton, Randall R. Haataja,), ABSTAINING – 3 (Doreen G. Blaker, Robert R.D. Curtis, Jr., Elizabeth "Liz" Julio), ABSENT – 1 (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE ADDITION TO REASONABLE SUSPICION E. TO INCLUDE ANY DRUG, INCLUDING THC AND ALCOHOL. CO-SUPPORTED BY RODNEY LOONSFOOT AND TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Eddy Edwards, Sue Ellen Elmblad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 1 (Robert R.D. Curtis, Jr.), ABSENT – 1 (Gary F. Loonsfoot, Jr.), MOTION CARRIED.

K. Old Business:

- 1. Hope Laramore, Interim Personnel Director – 17.0 Holidays/17.1 Policy B. Employee Eligibility. She presented two suggestions.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE SUGGESTION PRESENTED TO US.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE SUGGESTION: AN EMPLOYEE WHO HAS BEEN TEMPORARILY HIRED FOR A SPECIFIC PERIOD OF TIME (I.E. 90-DAY TEMPORARY APPOINTMENT) WILL BE PAID TIME AND ONE HALF FOR ACTUAL HOURS WORKED AND THEY WILL NOT RECEIVE HOLIDAY PAY FOR UNWORKED HOURS. SUPPORTED BY ROBERT R.D. CURTIS, JR. DOREEN G. BLAKER AND ROBERT R.D. CURTIS, JR. RESCINDED THEIR MOTION.

Temporary/On-Call employees will be paid time and one half for actual hours worked. They will not receive holiday pay.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE 17.1 (B) EMPLOYEE ELIGIBILITY AS IT IS CURRENTLY WRITTEN IN THE POLICY. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

L. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 12:57 P.M. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Don Messer, Randall R. Haataja, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Sue Ellen Elmlad, Elizabeth "Liz" Julio, Rodney Loonsfoot), OPPOSED – 0, ABSTAINING – 0, ABSENT – 1 (Gary F. Loonsfoot, Jr.) MOTION CARRIED.

Respectfully submitted,



Robin Roe
CEO/President's Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
NIIWIN AKEAA CENTER/COUNCIL CHAMBERS ROOM 112
111 BEARTOWN ROAD, BARAGA, MI 49908
WEDNESDAY – April 20, 2022 – 9:00 A.M.

A. Date: April 20, 2022

B. Call to Order:

C. Invocation: Ojibwa Prayer by Liz Julio

D. Roll Call:

- ___ Kim Klopstein, President
- ___ Susan J. LaFernier, Vice President
- ___ Toni J. Minton, Secretary
- ___ Don Messer, Assistant Secretary
- ___ Randall R. Haataja, Treasurer
- ___ Doreen G. Blaker
- ___ Robert R.D. Curtis, Jr.
- ___ Eddy Edwards
- ___ Suzie Elmlad
- ___ Liz Julio
- ___ Gary F. Loonsfoot, Jr.
- ___ Rodney Loonsfoot

E. Declaration of Quorum:

F. Approval of Agenda: April 20, 2022

G. For Your Information:

1. Retirement Luncheon Invitation for Lawrence Denomie, III – April 22, 2022
2. Tobacco Agent Quarterly Report for January 2022 – March 2022
3. Baraga County Chamber of Commerce Mix and Mingle Event
4. Thank You from Ariel Gougeon
5. Approval of Enrollment Applications

H. Approval of Meeting Minutes

1. May 15, 2020
2. May 20, 2020

I. Closed Session:

1. Kevin Carlisle, Tribal Attorney –
 - a. **Josh Clause – Land Claims Update (9:15 a.m.)**
 - b. Weekly Update
2. Kim Klopstein, President – Exit Interview with Larry Denomie, III – Ojibwa Casinos General Manager

J. New Business:

1. Larry Denomie, III, Ojibwa Casinos General Manager – Weekly Update
2. Suzie Crawford – Grave Marker Increases (Granite)
3. Rachel Tarpey, Forester – Amendment to Portable Logging Bridge Bid from 9-2-20
4. Liz Julio, Education Director –
 - a. Baraga Area Schools IPP
 - b. L'Anse Area Schools MOU
5. Kim Klopstein, President – Fourth of July Holiday Recommendation
6. Gary Loonsfoot, Jr., Cannabis Developer - Weekly Update
7. Brigitte LaPointe-Dunham, CEO –
 - a. Tribal Social Services On-Call Structure
 - b. Drug Free Workplace Policy
 - c. Weekly Update

K. Old Business:

1. **2nd Reading of Proposed Ordinance 2022-05 – Title 3 – Criminal Offenses and Penalties – Amendments to Criminal Code (1:00 p.m.)**
2. Hope Laramore, Interim Personnel Director - Section 17.1 (b) Employee Eligibility

L. Adjournment: