

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
REGULAR TRIBAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
SATURDAY – JANUARY 4, 2014 – 9:00 A.M.**

A. Date: January 4, 2014

B. Call to Order: President Swartz called the meeting to order at 9:00 a.m.

C. Invocation: Lord’s Prayer and an Ojibwe prayer by Earl Otchingwanigan/Four Thunders Drum

D. Roll Call: Present: Warren C. Swartz, Jr., President  
Elizabeth D. Mayo, Vice President  
Susan J. LaFerner, Secretary  
Toni J. Minton, Assistant Secretary  
Jennifer Misegan, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota  
Jean Jokinen  
Michael F. LaFerner, Sr.  
Carole L. LaPointe (arrived at 9:08 a.m.)  
Elizabeth “Chiz” Matthews  
Don Messer, Jr.

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

F. Approval of Agenda: January 4, 2014

Deletion: H. President’s Report/December 2013

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

**Carole LaPointe arrived at 9:08 a.m.**

G. For Your Information:

1. A “Thank you” from Liz Nevala of the Salvation Army
2. A “Thank you” from the Fall Fest Committee of the Upper Great Lakes Family Health Center
3. A “Thank you” from Becca Maino of the Dental Outreach Program
4. A “Thank you” from Donna Stump and the Family of Loretta Hugo
5. A “Thank you” from the Great Lakes Recovery Centers
6. A “Thank you” from an unknown
7. A “Thank you” from the Marquette Charter Township Board of Trustees
8. A “Thank you” from Bob LaFave, L’Anse Village Manager
9. A “Thank you” from William Vajda, Marquette City Manager
10. A “Thank you” from Anthony Bertucci, Ishpeming School District
11. A “Thank you” from Gary Walker, Chocolay Township
12. A “Thank you” from the American Cancer Society
13. Notification of Approved Enrollment Applications December 11, 2013 (5)

H. Secretary’s Report/December 2013 – available for your review

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE DECEMBER 2013 SECRETARY’S REPORT. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Elizabeth D. Mayo, 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, ABSENT - 0, MOTION CARRIED.**

I. Treasurer’s Report/December 2013 – Verbal Report

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

(Jean Jokinen is out of the room)

J. CEO’s Report/December 2013 – available for your review

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

K. Department Head Reports – November 2013

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

L. New Business:

1. Jennifer Misegan, Treasurer – Donations January 2014

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE A \$5,000.00 DONATION TO THE DISABLED AMERICAN VETERANS FOR A VAN PURCHASE. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. ALL IN FAVOR (Elizabeth D. Mayo, 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, ABSENT - 0, MOTION CARRIED.**

2. Diana Chaudier, Election Board Chair – Certification of the December 14, 2013 General Election Results

Baraga District: Fred Dakota (Inc.) – 261, Elizabeth "Popcorn" Mayo (Inc.) – 249, **Gary F. Loonsfoot, Sr. – 277, Donald Shalfoe, Sr. – 274**

L'Anse District: **Michael F. LaFernier, Sr. (Inc.) – 259**, Toni Minton (Inc.) – 239, George DeCota – 256, **Eddy Edwards – 279**

Associate Judge: **Violet M. Friisvall-Ayres (Inc.) – 328**, John F. Davis - 206

**MOTION MADE BY FRED DAKOTA TO APPROVE THE GENERAL ELECTION RESULTS OF DECEMBER 14, 2013. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Elizabeth D. Mayo, 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, ABSENT - 0, MOTION CARRIED.**

3. President Swartz - Recognize Fred Dakota, Elizabeth Mayo, Toni Minton (parting gifts)
4. President Swartz – Swearing in of Tribal Associate Judge – Violet Friisvall-Ayres

President Swartz administered the Oath of Office.

5. President Swartz - Swearing in of New Tribal Council Members – Eddy Edwards, Michael LaFernier, Sr., Gary Loonsfoot, Sr., Donald Shalifoe, Sr.

President Swartz administered the Oath of Office.

6. Reorganization:

- a) President

Eddy Edwards nominated Donald Shalifoe, Sr. supported by Carole LaPointe.  
Jennifer Misegan nominated Warren C. Swartz, Jr. supported by Don Messer, Jr.  
Nominations closed.

\*Ballot votes were done for all officers.\*

Results: Donald Shalifoe, Sr. - 7  
Warren C. Swartz, Jr. - 4  
(1 blank)

Donald Shalifoe, Sr. is President

b) Vice President

Gary Loonsfoot, Sr. nominated Carole LaPointe supported by Robert R.D. Curtis, Jr.  
Jennifer Misegan nominated Mike LaFernier, Sr.  
Nominations closed.

Results: Carole LaPointe - 8  
Mike LaFernier, Sr. - 4

Carole LaPointe is Vice President.

c) Secretary

Jean Jokinen nominated Susan LaFernier supported by Warren C. Swartz, Jr.  
Carole LaPointe nominated Jean Jokinen supported by Eddy Edwards.  
Nominations closed.

Results: Jean Jokinen - 7  
Susan LaFernier - 5

Jean Jokinen is Secretary.

d) Assistant Secretary

Robert R.D. Curtis, Jr. nominated Gary Loonsfoot, Sr. supported by Jean Jokinen.  
Jennifer Misegan nominated Don Messer, Jr. supported by Susan LaFernier.  
Nominations closed.

Results: Gary Loonsfoot, Sr. - 7  
Don Messer, Jr. - 5

Gary Loonsfoot, Sr. is Assistant Secretary.

e) Treasurer

Jean Jokinen nominated Eddy Edwards supported by Gary Loonsfoot, Sr.  
Don Messer, Jr. nominated Jennifer Misegan supported by Susan LaFernier.  
Nominations closed.

Results: Eddy Edwards - 7  
Jennifer Misegan - 5

Eddy Edwards is Treasurer.

7. Depository of Funds – Superior National Bank and Wells Fargo

**MOTION MADE BY EDDY EDWARDS TO TABLE THE DEPOSITORY OF FUNDS UNTIL COUNCIL HOLDS A REVIEW LATER IN THE WEEK. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr.), THREE OPPOSED (Susan J. LaFernier, Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

8. Check Signers

**MOTION MADE BY EDDY EDWARDS TO APPROVE ONLY THE EXECUTIVE BOARD AS THE CHECK SIGNERS. SUPPORTED BY ROBERT R.D. CURTIS, JR. FIVE IN FAVOR (Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr.), SIX OPPOSED (Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING - 0, ABSENT - 0, TIE VOTE, MOTION DEFEATED.**

Warren Swartz, Jr. stated according to Robert’s Rules of Order the President can only vote to make or break a tie.

Eddy Edwards disagreed and stated the President can vote any time.

Jennifer Misegan stated it has always been the Tribe’s practice, since 1936, that the Chairman only votes to break or create a tie.

Dan MacNeil read from Robert’s Rules of Order stating the President may vote.

President Shalifoe stated the Council can follow some type of rules of order; he believes it should be up to the Council.

**MOTION MADE BY WARREN C. SWARTZ, JR. THAT THE COUNCIL WILL FOLLOW ROBERT’S RULES OF ORDER FOR THE PURPOSE OF DECORUM OF ORDER. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE ENTIRE COUNCIL AS THE CHECK SIGNERS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Carole L. LaPointe, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), FOUR OPPOSED (Donald Shalifoe, Sr., Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

9. Tribal Court and Child Support Office Check Signers

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE TRIBAL COURT/CHILD SUPPORT OFFICE CHECK SIGNERS AS THE TRIBAL COUNCIL, TRIBAL JUDGES, TRIBAL COURT CLERK, DIRECTOR OF CHILD SUPPORT SERVICES, AND THE CHILD SUPPORT SPECIALIST. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), FIVE OPPOSED (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Eddy Edwards, Robert R.D. Curtis, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Eddy Edwards – Resolution KB-001-2014 (added to the agenda)

The Resolution eliminates the position of CEO, transfers the Assistant CEO to the Grants Department with the new pay at the grid for that department and eliminates one grant writer position. It authorizes supervision of the Governmental Offices and Administrative Branches to the Office of the President and transfers the direct supervision of the Enterprises of the Community to the Office of the Treasurer. (Casinos, Pines and Radio Stations)

**MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-001-2014. SUPPORTED BY CAROLE L. LAPOINTE.**

**MOTION MADE BY JENNIFER MISEGAN TO TABLE RESOLUTION KB-001-2014 UNTIL THE NEXT MEETING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Michael F. LaFERNIER, Sr., Susan J. LaFERNIER, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), SEVEN OPPOSED (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT - 0, MOTION DEFEATED.**

**MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-001-2014. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Elizabeth “Chiz” Matthews), FIVE OPPOSED (Michael F. LaFERNIER, Sr., Susan J. LaFERNIER, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Jennifer Misegan stated her opposition: She is opposed to tribal members losing their jobs and not being involved in this and there was no discussion of this with the entire Council and she is opposed to the entire restructuring.

Eddy Edwards – OHM Engineering (added to the agenda)

Eddy requested the council to Approve OHM Engineering to do a site feasibility study to determine if the site is of sufficient size for the proposed casino at the Baraga Lakeside Inn in the amount of \$9,200.00

Jennifer Misegan stated a feasibility study was already done at that site. She requested the results of that study for next week.

Eddy Edwards stated the purchase of the Lakeside Inn will require a popular referendum vote of the people to approve the expenditure of approximately \$388,000.00 up front and would involve taking over the loan.

**MOTION MADE BY EDDY EDWARDS TO HIRE OHM ENGINEERING TO DO A SITE FEASIBILITY STUDY IN THE AMOUNT OF \$9,200.00. SUPPORTED BY DON MESSER, JR. ELEVEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED – 1 (Susan J. LaFERNIER), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**



Susan LaFernier stated there is no consideration for Marquette which may be the better site and there is no plan.

The Council will meet next week Tuesday, January 7, 2014 at 1:00 p.m.

**MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE PRESIDENT’S WAGE AT \$28.00 AN HOUR. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Don Messer, Jr., Warren C. Swartz, Jr.), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Jennifer Misegan), ABSENT - 0, MOTION CARRIED.**

M. Adjournment:

**MOTION MADE BY WARREN C. SWARTZ, JR. TO ADJOURN AT 10:17 A.M. SUPPORTED BY EDDY EDWARDS. ALL IN FAVOR (Donald Shalifoe, Sr., Carole L. LaPointe, Jean Jokinen, Gary F. Loonsfoot, Sr., Eddy Edwards, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Susan J. LaFernier, Elizabeth “Chiz” Matthews, Don Messer, Jr., Jennifer Misegan, Warren C. Swartz, Jr.), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Respectfully submitted,

Peggy Loonsfoot  
Administrative Specialist