

# 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  
Fax (906) 353-7540

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  
SPECIAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
THURSDAY – OCTOBER 24, 2013 – 9:00 A.M.**

APPROVED  
3-12-15

- A. Date: October 24, 2013
- B. Call to Order: Vice President Mayo called the meeting to order at 9:09 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Elizabeth D. Mayo, Vice President  
Susan J. LaFernier, Secretary (left 1:18 – 2:15 p.m.)  
Toni J. Minton, Assistant Secretary  
Jennifer Misegan, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota (left at 2:48 p.m.)  
Jean Jokinen  
Michael F. LaFernier, Sr. (left 1:18 – 2:15 p.m.)  
Carole L. LaPointe  
Elizabeth "Chiz" Matthews (left at 2:30 p.m.)  
Don Messer, Jr.
- Absent: Warren C. Swartz, Jr., President
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 24, 2013
- Additions: Old Business- 5. Jennifer Misegan – CNAP Guidelines Amendment  
New Business- 2. Lori Sherman, NRD Director – b) Services Agreement  
Closed Session- 3. Susan LaFernier, Secretary – Mining Consultant Letter
- Move: Closed Session #1. to New Business 4. Brad Dakota - b) Enablement Prevention Program Services Agreements

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

G. For Your Information:

1. Toys For Tots Benefit Concert for Baraga Area Children at Zion Evangelical Lutheran Church in Skanee, MI on Sunday, October 27 at 2:00 – 5:00 p.m.
2. VOIGT Intertribal Task Force Meeting Minutes September 12, 2013 Odanah, WI
3. *Dibaajimowinan* Book of Anishinaabe Stories of Culture and Respect (400) copies provided by Jim St. Arnold of GLIFWC

H. Old Business:

1. Michael Lahti – Business License Request for Name Removal

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE REQUEST FROM MICHAEL LAHTI TO REMOVE HIS NAME FROM THE BUSINESS LICENSE OF SUPERIOR AUTO WORKS 41 AND SEND A NEW LICENSE IN THE NAME OF THE OTHER PARTY. SUPPORTED BY DON MESSER, JR. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

2. Pam Nankervis, NRD Wildlife Biologist – Consultant Agreement for Ecologist Assistance with the KBIC Wildlife Management Plan (4)

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE CONSULTANT AGREEMENT WITH MARY HINDELANG, Ph.D. FOR ECOLOGICAL CONSULTING SERVICES IN THE AMOUNT OF \$12,000.00 FROM THE ANA GRANT. SUPPORTED BY CAROLE L. LAPOINTE. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

3. Larry Denomie III, CEO - KBIC Youth Program Activity Fund Guidelines to assist KB Tribal member parents and those raising KB Tribal member children

**MOTION MADE BY DON MESSER, JR. TO APPROVE THE KBIC YOUTH PROGRAM ACTIVITY FUND GUIDELINES WITH THE CHANGES AND EFFECTIVE OCTOBER 1, 2013. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth “Chiz” Matthews, Don Messer, Jr.), THREE OPPOSED (Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

Jean Jokinen stated her opposition: She is opposed because we eliminated tribal members out of the area and included non-tribal in the area and it's not even the correct area.

4. Jennifer Misegan – CNAP Guidelines Amendment

**MOTION MADE BY JENNIFER MISEGAN TO CHANGE THE GUIDELINES IN THE APPLICATION SECTION TO READ ALL TRIBAL IDS FOR ALL HOUSEHOLD MEMBERS MUST MATCH THE ADDRESS OF THE APPLICANT. 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.), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

I. New Business:

1. Jason Ayres, Realty Officer – Resolution KB-1954-2013 VPN (Virtual Private Network) Connectivity to the Department of Interior’s Bureau of Indian Affairs Trust Asset Accounting Management System (TAAMS) to access records pertaining to lands and resources of the Tribe for official purposes. Access will be given to the Tribal Forester, Real Estate Officer, and Geographic Information Systems (GIS) Project Manager.

**MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-1954-2013 TRUST ASSET ACCOUNTING MANAGEMENT SYSTEM VPN CONNECTIVITY. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

2. Lori Sherman, Natural Resources Director – (Walleye Ponds on Brewery Road)
  - a) Fischer Biological Consulting LLC, Gregory Fischer Services Agreement Tier II

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE GREGORY FISCHER SERVICES AGREEMENT IN THE AMOUNT OF \$2,500.00 FOR THE WALLEYE POND SITE LAYOUT AND EXPANSION. SUPPORTED BY SUSAN J. LAFERNIER. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

- b) Larson Well Drilling, LLC Services Agreement Tier II for a well at the walleye ponds on Brewery Road in L’Anse

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE LARSON WELL DRILLING, LLC SERVICES AGREEMENT. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

3. Larry Denomie III, CEO –

a) LaCourt Bottled Gas Co. (LP) Gas Supplier Service Agreement

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE LACOURT BOTTLED GAS COMPANY LP GAS SUPPLIER SERVICES AGREEMENT. SUPPORTED BY CAROLE L. LAPOINTE. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

b) Weekly Update

4. Brad Dakota, Chief Judge –

a) Enablement Prevention Program Services Agreement Tier II - Rebecca Panasiewicz for Counseling Services \$25,200.00 for two years for the Healing and Wellness Court

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE SERVICES AGREEMENT BETWEEN THE COMMUNITY AND HOPE WORKS. SUPPORTED BY TONI J. MINTON. 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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

b) Adjudication Panel Responsibilities – He was not aware that Council assigned a panel to do the background work review as job duties. The Drug Court Director also stated that she was not notified in a timely manner and was on training.

J. Closed Session:

1. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager – Casinos Plan
2. Susan LaFernier, Secretary – Mining Consultant Letter

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:21 A.M. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

**Break: 10:22 – 10:34 a.m.**

**Break: 10:59 – 11:08 a.m.**

**Lunch: 12:14 – 1:16 p.m.**

**Susan and Mike LaFernier left 1:18 – 2:15 p.m.**

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 2:28 P.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 (Warren C. Swartz, Jr.), MOTION CARRIED.**

**Break: 2:30 – 2:42 p.m. (Elizabeth Matthews left during break)**

[Old Business]

5. Carole LaPointe, Health Director – Affordable Care Act Presentation

**Fred Dakota left at 2:48 p.m.**

Casino Managers – Separation of Management for each Property

**MOTION MADE BY DON MESSER, JR. TO SEPARATE THE GENERAL MANAGERS BY PLACING DAVID HAATAJA AS THE GENERAL MANAGER AT THE BARAGA PROPERTY AND DALE SHALIFOE AS GENERAL MANAGER AT THE MARQUETTE PROPERTY AND REQUIRE THEY ATTEND THE CLASSES OFFERED THROUGH OCC AND RETURN THE WAGE TO WHAT IT WAS AND INCLUDE THE 6% RAISE THAT WOULD HAVE OCCURRED. SUPPORTED BY JENNIFER MISEGAN. FIVE IN FAVOR (Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Carole L. LaPointe, Don Messer, Jr.), ONE OPPOSED (Jean Jokinen), TWO ABSTAINING (Susan J. LaFernier, Michael F. LaFernier, Sr.), THREE ABSENT (Warren C. Swartz, Jr., Fred Dakota, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

Jean Jokinen stated her opposition: She is opposed because she feels we need to hire a Tribal Member with a Business Management Degree to protect our assets and recover the millions of dollars in losses until our current managers are trained.

Jennifer Misegan stated for the record: We just hired a Marketing Manager that didn't meet the requirements and did not have an education either.

Mining Consultant Letter – Termination of Independent Contractor Agreement with Millennium Services, Inc. – (Mining Specialist) on November 28, 2013

**MOTION MADE BY JENNIFER MISEGAN TO SEND A LETTER TERMINATING THE AGREEMENT WITH MILLENNIUM SERVICES AND REQUEST CHARLES BRUMLEVE PROVIDE THE LIST OF PROJECTS HE IS CURRENTLY WORKING ON. SUPPORTED BY JEAN JOKINEN. 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, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Fred Dakota, Elizabeth "Chiz" Matthews), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 3:44 P.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. 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, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Fred Dakota, Elizabeth "Chiz" Matthews), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
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**SPECIAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
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A. Date: October 24, 2013

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C. Invocation: Lord's Prayer

D. Roll Call:                   \_\_\_ Warren C. Swartz, Jr., President  
                                  \_\_\_ Elizabeth D. Mayo, Vice President  
                                  \_\_\_ Susan J. LaFernier, Secretary  
                                  \_\_\_ Toni J. Minton, Assistant Secretary  
                                  \_\_\_ Jennifer Misegan, Treasurer  
                                  \_\_\_ Robert R.D. Curtis, Jr.  
                                  \_\_\_ Fred Dakota  
                                  \_\_\_ Jean Jokinen  
                                  \_\_\_ Michael F. LaFernier, Sr.  
                                  \_\_\_ Carole L. LaPointe  
                                  \_\_\_ Elizabeth "Chiz" Matthews  
                                  \_\_\_ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: October 24, 2013

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2. Pam Nankervis, NRD Wildlife Biologist - Consultant Agreement for Ecologist Assistance with the KBIC Wildlife Management Plan
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4. Carole LaPointe, Health Director – Affordable Care Act Presentation

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  - a) LaCourt Bottled Gas Co. (LP) Gas Supplier Service Agreement
  - b) Weekly Update
4. Brad Dakota, Chief Judge – Adjudication Panel Responsibilities

J. Closed Session:

1. Brad Dakota, Chief Judge – Enablement Prevention Program Services Agreements
2. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager – Casinos Plan

K. Adjournment: