

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
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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 – AUGUST 8, 2013 – 9:00 A.M.**

APPROVED

2-27-15

- A. Date: August 8, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:00 a.m.
- C. Invocation: Lord's Prayer and prayers for Elizabeth Matthews and others in need and those traveling
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (arrived at 9:04 a.m.)
Jennifer Misegan, Treasurer (left 10:24 – 11:40 a.m.)
Robert R.D. Curtis, Jr. (arrived at 9:02 a.m.)
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe (arrived at 9:03 a.m.)
Elizabeth "Chiz" Matthews (left at 4:05 p.m.)
Don Messer, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 8, 2013
- | | | |
|------------|-----------------|---|
| Additions: | New Business- | 7. Larry Denomie III, CEO – b) Ed Janisse – Telecommunications Services Agreement |
| | Closed Session- | 3. President Swartz – Memorandum |
| | Old Business- | 5. Bruce LaPointe – Resolution KB-1945-2013
Campground Roads |

R.D. Curtis arrived at 9:02 a.m.

MOTION MADE BY FRED DAKOTA 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., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Carole L. LaPointe), MOTION CARRIED.

G. For Your Information:

1. CSBG Plan/Guidelines from Janice Halverson, CAP Director (not in packet)

H. Recognize Scheduled Delegation/Individuals:

Carole LaPointe arrived at 9:03 a.m.

1. Vienna Chapin, Marketing Social Media Chair of Parade of Nations (not present)/Darnishia Slade - "Global Variation in One Location" Parade of Nations on September 14, 2013 - Invite

Toni Minton arrived at 9:04 a.m.

I. New Business:

1. Jennifer Misegan, Treasurer – Burial Program Funds and Burial Fund Analysis 2010-2013 (regarding George Curtis Casket Costs)

MOTION MADE BY JEAN JOKINEN TO APPROVE A DONATION IN THE AMOUNT OF \$3,992.00 FOR THE CURTIS FAMILY FOR FUNERAL EXPENSES. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. FOUR IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth "Chiz" Matthews, Don Messer, Jr.), SEVEN OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe), ABSTAINING - 0, ABSENT - 0, MOTION DEFEATED.

MOTION MADE BY TONI J. MINTON TO PAY THE DIFFERENCE BETWEEN A REGULAR SIZE CASKET AND AN EXTRA LARGE CASKET. SUPPORTED BY CAROLE L. LAPOINTE. 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.

Jennifer Misegan will contact the funeral home and request the price difference.

Break: 9:32 – 9:45 a.m.

[Recognize Scheduled Delegation/Individuals]

2. Tonya Swenor/Gregg Huohle, Lake Superior Partnership/Lori Sherman, NRD Director - Natural Resources Department-KBIC Summer Youth Crew Power Point Presentation

Present: Isaac Ekdahl, Freddy Dakota, Toriana Rasanen, Sean Spruce, Cody Clement

The Youth group discussed their summer work projects which consisted of recognizing the Purple Loosestrife invasive species and others and the use of Water Lily Beetles to control them, sea lamprey traps to estimate population, the study of fruit flies, composting as an organic fertilizer, Eagle Rock and risks of mining, Sand Point and planting native plant species, and fish stocking for the Kids Fishing Derby.

J. Closed Session:

1. Building Inspector Interviews (3)
2. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager/Francis LaPointe, CFO – Enterprise Financials – Rescheduled
3. President Swartz – Memorandum (Paul Smith)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:21 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 10:22 – 10:33 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 11:49 A.M. 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.

Lunch: 12:02 – 1:06 p.m.

K. Old Business:

1. Jennifer Misegan - Request for Secretarial Election Board Appointees. Per 25 CFR Part 81, the Election Board shall consist of the officer in charge (Superintendent B.I.A.) and at least two or more Tribal representatives, usually from the Election Board.

R.D. Curtis returned from lunch at 1:11 p.m.

The Council reviewed the current Election Board members. Jennifer will be available but will not serve as a Board member.

MOTION MADE BY ELIZABETH D. MAYO TO APPOINT GRETCHEN EMERY, DIANA CHAUDIER, PEGGY LOONSFOOT, JEANNE KAUPPILA, AND KIM KLOPSTEIN TO THE SECRETARIAL ELECTION BOARD. SUPPORTED BY JENNIFER MISEGAN. 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. Bruce LaPointe, Projects Manager/Jason Ayres, Realty Officer – Resolution KB-1945-2013 Campground Roads

MOTION MADE BY JEAN JOKINEN TO KEEP THE DESIGN AS IS AND MOVE FORWARD TO APPROVE RESOLUTION KB-1945-2013 CAMPGROUND RIGHT OF WAY. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews, Don Messer, Jr.), FIVE OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota,), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO MAKE A CHANGE ORDER TO THE CONTRACT WHICH WILL CONSIST OF NO DEVELOPING ON THE RIGHT OF WAY. SUPPORTED BY JENNIFER MISEGAN. (Motion withdrawn)

MOTION MADE BY ELIZABETH D. MAYO TO NOT PAVE BY THE FISHING MEMORIAL AND REMOVE THE NORTH SIDE OF THE LOOP RUNNING ALONGSIDE THE EXISTING MARINA. SUPPORTED BY JENNIFER MISEGAN. NINE 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, Don Messer, Jr.), TWO OPPOSED (Jean Jokinen, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

3. President Swartz – Tribal Attorney Job Description Review – Rescheduled
4. Larry Denomie III, CEO – BC/BS Tier III Plan – Rescheduled

[New Business]

2. Jason Ayres, Realty Officer – Resolution KB-1947-2013 Diana L. Chaudier and Jason R. Chaudier Modification of Residential Lease (increase the size from .57 acres to .66 acres)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1947-2013 DIANA CHAUDIER MODIFICATION OF LEASE. SUPPORTED BY SUSAN J. LAFERNIER. 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. Gary Loonsfoot, Jr., Director of Cultural Resources/Liz Sherman/Dan Connor/Rodney Loonsfoot, Powwow Committee – Powwow Report 2013

A discussion was held on the weather conditions for the powwow and moving the location to the L'Anse Meadowbrook Arena. A complaint letter was received by one of the vendors requesting a full refund for the vendor fee.

Another topic of discussion was the use of Eagle whistles. The Powwow Committee was instructed to post that the whistles are prohibited on the flyer for next year.

There was also a Veteran concern that will be discussed in Closed Session.

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE A FULL REFUND TO ALL OF THE VENDORS. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), THREE OPPOSED (Toni J. Minton, Jennifer Misegan, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Toni Minton stated her opposition: She feels the vendors were able to sell all of Friday and most of Saturday and they understand the weather is a risk.

Break: 2:39 – 2:51 p.m.

4. Charles Brumleve, Mining Specialist/Carol MacLennan, MTU Professor/Jessica Koski, NRD Mining Technical Assistant - Torch Lake Update and Letter of Support for the GLRI Grant with other Community groups in the Keweenaw area.

MOTION MADE BY FRED DAKOTA TO APPROVE A LETTER OF SUPPORT FOR THE GRANT APPLICATION FOR THE TORCH LAKE CLEAN UP. SUPPORTED BY CAROLE L. LAPOINTE. 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.

Jeffery Loman stated to add the site needs to be cleaned up immediately. (Directed to the EPA)

5. Nikki Reenders-Arens, Youth Programs Coordinator (not present)/Larry Denomie III, CEO – Checker Transport Services Agreement (for the Summer Youth Trip August 17-20 for a Minnesota Twins Game)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TWO TIER SERVICES AGREEMENT WITH CHECKER TRANSPORT. SUPPORTED BY CAROLE L. LAPOINTE. 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.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Jean Jokinen stated her opposition: She feels the kids should do something more cultural.

6. Lindy Grell, Tribal Attorney (not present) - Pete Morin (present) Fireworks Permit Application Renewal for one year

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FIREWORKS PERMIT FOR PETE MORIN. SUPPORTED BY DON MESSER, JR. 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.

President Swartz requested Pete Morin renew his license before the expiration date of June 22, 2014 next year.

7. Larry Denomie III, CEO –

- a) Weekly Update
- b) Ed Janisse (not present) – Range Telecommunications Tier II Services Agreement for \$4,125.64 to be in compliance with the FCC with the tower in Herman

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE RANGE TELECOMMUNICATIONS SERVICES AGREEMENT. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews, Don Messer, Jr.), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ABSENT - 0, MOTION CARRIED.

[Old Business]

5. George Decota, Director of Fire Management – Recommendation on a Cooperative Agreement with the BIA and Baraga Fire Department. There is not an agreement to review yet.

Discussion: The CEO denied George to go on Fire duty and a discussion was held on reports that are due for the Fuels Management program and other crew members that can go in George's place. George stated that he will not be going on any further firefighting duty.

MOTION BY JEAN JOKINEN TO ALLOW GEORGE TO GO ON FIREFIGHTING SUPPORTED BY ROBERT R.D. CURTIS, JR.

President Swartz called the motion out of order (not on the agenda)

Elizabeth Matthews left at 4:11 p.m.

It was suggested that another meeting be held to discuss his future firefighting and his director job duties.

L. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 4:16 P.M. 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., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth "Chiz" Matthews), MOTION CARRIED.

Respectfully submitted,

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

Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – AUGUST 8, 2013 – 9:00 A.M.

A. Date: August 8, 2013

B. Call to Order:

C. Invocation: Lord's Prayer

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

E. Declaration of Quorum:

F. Approval of Agenda: August 8, 2013

G. For Your Information:

1. CSBG Plan/Guidelines from Janice Halverson, CAP Director

H. Recognize Scheduled Delegation/Individuals:

1. Vienna Chapin, Marketing/Social Media Chair of Parade of Nations/Darnishia Slade - "Global Variation in One Location" Parade of Nations on September 14, 2013
2. Lori Sherman, NRD Director - Natural Resources Department Summer Youth Crew Presentation

I. Old Business:

1. George Decota, Director of Fire Management – Recommendation on a Cooperative Agreement with the BIA and Baraga Fire Department
2. President Swartz – Tribal Attorney Job Description Review
3. Larry Denomie III, CEO – BC/BS Tier III Plan

4. Jennifer Misegan - Request for Secretarial Election Board Appointees (2-4)

J. New Business:

1. Jason Ayres, Realty Officer – Resolution KB-1947-2013 Diana Chaudier Modification of Lease
2. Gary Loonsfoot, Jr., Director of Cultural Services/Liz Sherman, Powwow Committee – Powwow Report 2013
3. Nikki Reenders-Arens, Youth Programs Coordinator – Checker Transport Services Agreement
4. Charles Brumleve, Mining Specialist/Carol MacLennan, MTU Professor - Torch Lake Update and Letter of Support
5. Jennifer Misegan, Treasurer – Burial Program Funds
6. Lindy Grell, Tribal Attorney - Pete Morin Fireworks Application Renewal
7. Larry Denomie III, CEO – Weekly Update

K. Closed Session:

1. Building Inspector Interviews (3) – **10:00 – 11:30 a.m.**
2. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager/Francis LaPointe, CFO – Enterprise Financials

L. Adjournment: