

KEWEENAW BAY INDIAN COMMUNITY

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

2018 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President
JENNIFER MISEGAN, Vice President
SUSAN J. LAFERNIER, Secretary
TONI J. MINTON, Assistant Secretary
DOREEN G. BLAKER, Treasurer

ROBERT "R.D." CURTIS, JR.
FRED DAKOTA
RANDALL R. HAATAJA
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, JR.
RODNEY LOONSFOOT
ELIZABETH D. MAYO

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – AUGUST 16, 2018 – 9:00 A.M.

APPROVED

NOV 29 2018

KBIC PRESIDENT'S OFFICE

SIGNATURE: 

- A. Date: August 16, 2018
- B. Call to Order: President Swartz called the meeting to order at 9:17 a.m.
- C. Invocation: Lord's Prayer and prayers for Fred Dakota who is in the hospital
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Jennifer Misegan, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 12:32 p.m.)
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr.
Randall R. Haataja
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Jr.
Rodney Loonsfoot (left at 12:32 p.m.)
Elizabeth D. Mayo (arrived at 9:35 a.m., left at 12:15 p.m.)

Absent: Fred Dakota

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 16, 2018

Deletion: New Business- 1. Danielle Webb, Tribal Attorney – a) James Orr, Marketing Director – SCA Entertainment, LP Contingent Prize Contract for the Pigskin Prize Pro42 "Football Pick'em" Promotion for Ojibwa Casino I&II (this was approved on July 19, 2018 without Legal Review)

Move: New Business 1. d) Danielle Webb, Tribal Attorney/Soumit Pendharkar, Health Administrator – ii. Richard Brantner, Chief Pharmacist Employment Agreement to Closed Session 2. b)

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

G. For Your Information:

1. An Invitation from KBIC Office of Child Support Services to the Child Support Awareness Month Celebration on August 20, 2018 for all ages to be held at Tribal Court
2. 2018 Primary (November 3, 2018) Election Timeline

H. Approval of Meeting Minutes:

1. May 21, 2018

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MAY 21, 2018 MEETING MINUTES. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

2. May 24, 2018

MOTION MADE BY RODNEY LOONSFOOT THAT DURING THE PRE-EMPLOYMENT DRUG TESTING, ALL POSITIVES ARE POSITIVES AND THEY SHOULD NOT BE OFFERED EMPLOYMENT. (Regarding the 5/24/18 motion: once an employee tests positive for marijuana, they must provide their medical marijuana prescription card to Human Resources)

President Swartz called the motion out of order. It is not on the agenda.

Elizabeth Mayo arrived at 9:35 a.m.

MOTION MADE BY TONI J. MINTON TO APPROVE THE MAY 24, 2018 MEETING MINUTES. SUPPORTED BY RANDALL R. HAATAJA. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), TWO OPPOSED (Robert R.D. Curtis, Jr., Rodney Loonsfoot), ONE ABSTAINING (Elizabeth D. Mayo), ONE ABSENT (Fred Dakota), MOTION CARRIED.

I. New Business:

1. Danielle Webb, Tribal Attorney –
 - a) Heather Wood-Paquet, Health Promotions Coordinator - Addendum to the Inter-Tribal Council of Michigan, Inc. Memorandum of Cooperative Agreement for the Healthy Start Initiative entitled “Maajtaag Mnobmaadzid” for the 2018-19 Program which adds

an additional \$66,306.00 to the original agreement making the total for the contract period \$103,040.00 April 1, 2018 – March 31, 2019

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE ADDENDUM TO THE INTER-TRIBAL COUNCIL OF MICHIGAN MEMORANDUM OF COOPERATIVE AGREEMENT FOR THE HEALTHY START INITIATIVE. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

- b) Lisa Denomie, Pre-Primary Program Director (not present) – KBIC Pre-Primary Education Program Child Care Center License Renewal for daycare services for 48 available spaces August 16, 2018 – August 16, 2019

MOTION MADE BY TONI J. MINTON TO APPROVE THE KBIC PRE-PRIMARY EDUCATION PROGRAM LICENSE RENEWAL. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

- c) Richard Geroux (not present) – Jimaganish Wadokaged Business License Renewal (Veteran’s Organization/Non Profit Bar/Food Sales)

June 23, 2018 – June 22, 2019 (The required Annual Report has been provided and is complete)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JIMAGANISH WADOKAGED BUSINESS LICENSE RENEWAL. SUPPORTED BY RODNEY LOONSFOOT. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

- d) Dr. Soumit Pendharkar, Health Administrator –

- i. MJP Consulting, LLC Tier III Services Agreement with Michael J. Popp July 1, 2018 – June 30, 2019

\$90 per hour to provide information technology (IT) services such as electronic medical records (EMR) management, project management, HIPPA support and consulting services

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MJP CONSULTING, LLC TIER III SERVICES AGREEMENT WITH MICHAEL J. POPP. CO-SUPPORTED BY TONI J. MINTON AND DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

- ii. Memorandum of Cooperative Agreement with the Inter-Tribal Council of Michigan, Inc. (ITCM) for the Three Fires Comprehensive Cancer Control Program June 30, 2018 – June 29, 2019 \$10,000.00

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE MEMORANDUM OF COOPERATIVE AGREEMENT WITH ITCM FOR THE THREE FIRES COMPREHENSIVE CANCER CONTROL PROGRAM. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

- e) Evelyn Ravindran, Natural Resources Director (not present) – Participation Agreement with the USDA Forest Service Ottawa National Forest for Prevention and Management of Non-Native and Aquatic Invasive Species and Terrestrial Invasive Plant Work

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE PARTICIPATING AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND THE UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE OTTAWA NATIONAL FOREST. CO-SUPPORTED BY JENNIFER MISEGAN AND SUSAN J. LAFERNIER. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

2. Dave Zasadnyj, I.T. Director – Voice Over Internet Protocol (VOIP) System Bid (1) for installation and support at the Tribal Center

The recommended bid is from Enterprise Systems Group (ESG) who installed and currently provides ongoing support for the VOIP at the KBIC Health Center.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM ENTERPRISE SYSTEMS GROUP IN THE AMOUNT OF \$36,496.55 FOR THE VOIP PHONE SYSTEM AT THE TRIBAL CENTER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Break: 9:54 – 10:02 a.m.

3. Matthew Eliason, Attorney (via teleconference)/Jeanne Hirzel, Substance Abuse Programs Director –
 - a) Michigan Department of State Contractual Agreement for Driver, Vehicle, and Related Information with New Day Treatment Center (CARF Standards)
 - b) Attorney Client Privilege Attorney Client Work Product for New Day Treatment Center
 - c) Michigan Department of State Account Terms and Conditions
 - d) Michigan Subscription Service Add/Remove Form

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE CONTRACTUAL AGREEMENT FOR DRIVERS AND RELATED INFORMATION WITH THE DEPARTMENT OF STATE AND THE KEWEENAW BAY INDIAN COMMUNITY AS REQUIRED BY CARF. SUPPORTED BY JENNIFER MISEGAN.

President Swartz requested information on the governing laws and jurisdiction of the court.

Matt will look into it and provide more information.

Rodney and Jennifer withdrew the motion.

[Rescheduled for more information]

4. Rodney Loonsfoot/Debra Picciano, TERO Director/Workforce Coordinator/Background Investigator – Background Investigation Policy [Discussion]

Rodney requested a copy of his application from five years ago which expires in October. A revised policy is being worked on for next week.

5. Larry Denomie III, CEO – Weekly Update

The Social Services Director position has been offered to Caitlyn Bowers. Carole LaPointe has been hired as the OVW Team Lead position. The casino HVAC system is being replaced and there may be closures at times. Larry met with Beth Fish, Personnel Director, to discuss the recent survey results of the Service Culture training and the full report is available. The results in Brad Worthley's words are that it wasn't as good as expected. Department Heads will have to review the results and address the issues with their employees. The Marquette casino has a lot of activity at the site and pictures are available to view the progress. Bids are opening today for the Halfway House project. Larry is holding bi-monthly meetings with the Department Heads and he will review policies with them and make it clear the intention of the Council and hold a training on timesheets.

J. Closed Session:

1. Rob Porter, Odawi Law PLLC Attorney –
 - a) Canal Land Claim Update
 - b) Upcoming National Election Discussion
2. Danielle Webb, Tribal Attorney –
 - a) Update/Jason Ayres – Ojibwa Express Convenience Update
 - b) Richard Brantner, Chief Pharmacist Employment Agreement

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:53 A.M. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Elizabeth Mayo left at 12:15 p.m.

Working Lunch: 12:32 – 1:13 p.m. (Toni Minton and Rodney Loonsfoot left)

MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 2:52 P.M. SUPPORTED BY DOREEN G. BLAKER. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot, Elizabeth D. Mayo), MOTION CARRIED.

Richard Brantner, R.Ph., Chief Pharmacist Employment Agreement with the Health and Human Services Department August 25, 2018 – August 24, 2021

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE CHIEF PHARMACIST EMPLOYMENT AGREEMENT WITH RICHARD BRANTNER WITH THE CHANGES. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr.), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Fred Dakota, Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), MOTION CARRIED.

(Gary Loonsfoot, Jr. is out of the room)

Aanikoosing, Inc. Loan -

MOTION MADE BY JENNIFER MISEGAN TO LOAN AANIKOOSING, INC. \$100,000.00 FROM THE SETTLEMENT FUNDS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot, Elizabeth D. Mayo), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 2:54 P.M. SUPPORTED BY GARY F. LOONSFOOT, JR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr.), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Fred Dakota, Rodney Loonsfoot, Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,



Peggy Loonsfoot
Administrative Specialist

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – AUGUST 16, 2018 – 9:00 A.M.

A. Date: August 16, 2018

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call: ___ Warren C. Swartz, Jr., President
 ___ Jennifer Misegan, Vice President
 ___ Susan J. LaFernier, Secretary
 ___ Toni J. Minton, Assistant Secretary
 ___ Doreen G. Blaker, Treasurer
 ___ Robert R.D. Curtis, Jr.
 ___ Fred Dakota
 ___ Randall R. Haataja
 ___ Michael F. LaFernier, Sr.
 ___ Gary F. Loonsfoot, Jr.
 ___ Rodney Loonsfoot
 ___ Elizabeth D. Mayo

E. Declaration of Quorum:

F. Approval of Agenda: August 16, 2018

G. For Your Information:

1. An Invitation to the Child Support Awareness Month Celebration on August 20, 2018
2. 2018 Primary (November 3, 2018) Election Timeline

H. Approval of Meeting Minutes:

1. May 21, 2018
2. May 24, 2018

I. New Business:

1. Danielle Webb, Tribal Attorney –
 - a) James Orr, Marketing Director – SCA Entertainment, LP Contingent Prize Contract for the Pigskin Prize Pro42 “Football Pick'em” Promotion for Ojibwa Casino I&II

- b) Heather Wood-Paquet, Health Promotions Coordinator - Addendum to the Inter-Tribal Council of Michigan, Inc. Memorandum of Cooperative Agreement for the Healthy Start Initiative entitled "Maajtaag Mnobmaadzid" for the 2018-19 Program
 - c) Lisa Denomie, Pre-Primary Program Director – KBIC Pre-Primary Education Program Child Care License Renewal
 - d) Richard Geroux – Jimaganish Wadokaged Business License Renewal
 - e) Dr. Soumit Pendharkar, Health Administrator –
 - i. MJP Consulting, LLC Tier III Services Agreement
 - ii. Richard Brantner, Chief Pharmacist Employment Agreement
 - iii. Cooperative Agreement for the Three Fires Comprehensive Cancer Control Program
 - f) Evelyn Ravindran, Natural Resources Director – Participation Agreement with the USDA Forest Service Ottawa National Forest for Prevention and Management of Non-Native and Aquatic Invasive Species and Terrestrial Invasive Plant Work
2. Matthew Eliason, Attorney/Jeanne Hirzel, Substance Abuse Programs Director –
 - a) Michigan Department of State Contractual Agreement for Driver, Vehicle, and Related Information with New Day Treatment Center (CARF Standards)
 - b) Attorney Client Privilege Attorney Client Work Product for New Day Treatment Center
 - c) Michigan Department of State Account Terms and Conditions
 - d) Michigan Subscription Service Add/Remove Form
 3. Dave Zasadnyj, I.T. Director – Voice Over Internet Protocol (VOIP) System Bid (1)
 4. Rodney Loonsfoot/Debra Picciano, TERO Director/Workforce Coordinator/Background Investigator – Background Investigation Policy
 5. Larry Denomie III, CEO – Weekly Update

J. Closed Session:

1. Rob Porter, Attorney –
 - a) Canal Land Claim Update
 - b) Upcoming Election Discussion
2. Danielle Webb, Tribal Attorney - Update

K. Adjournment: