

# 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 TRIBAL CENTER CONFERENCE ROOM TUESDAY – NOVEMBER 26, 2013 – 9:00 A.M.

APPROVED  
3-12-15

- A. Date: November 26, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:07 a.m.
- C. Invocation: Lord's Prayer and prayers for the families who have lost a loved one.
- 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 9:33 a.m.)  
Jennifer Misegan, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota (left at 12:00 p.m.)  
Jean Jokinen  
Michael F. LaFernier, Sr.  
Carole L. LaPointe (arrived at 9:11 a.m.)  
Elizabeth "Chiz" Matthews (arrived at 10:11 a.m., left at 12:00 p.m.)  
Don Messer, Jr. (left at 12:00 p.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 26, 2013
- Correction: The Agenda's date is listed as Thursday and today is Tuesday  
Deletion: Closed Session- 1. President Swartz - Innovative Gaming Solutions Final Report Review

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

G. Old Business:

1. Lindy Grell, Tribal Attorney

- a) Mitch Bolo/Levi Tadgerson – New Business License Application for Bolo Productions-Multimedia

**Carole LaPointe arrived at 9:11 a.m.**

Mitch has a lease with the Ojibwa Housing Authority which states he cannot conduct business at his residence. He is moving the business to his mother's residence.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NEW BUSINESS LICENSE FOR BOLO PRODUCTIONS. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, 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, TWO ABSENT (Toni J. Minton, Elizabeth "Chiz" Matthews), MOTION CARRIED.**

- b) Jeff Lamson (not present) – Business License Renewal for Cue Master Food Services

The Attorney's Office requested Mr. Lamson's licenses have the same expiration date of February 1<sup>st</sup>.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FOOD SERVICES BUSINESS LICENSE RENEWAL OF JEFF LAMSON FOR THE CUE MASTER. SUPPORTED BY DON MESSER, JR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, 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, TWO ABSENT (Toni J. Minton, Elizabeth "Chiz" Matthews), MOTION CARRIED.**

2. Janice Halverson, CAP Administrator/Larry Denomie III, CEO – It was requested to remove from the CAP Policy: REQUIRED RECEIPTS: Hotel and meal receipts along with a proof of attendance form

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE AMENDMENT STRIKING "AND MEAL" FROM THE COMMUNITY ASSISTANCE POLICY. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, 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, TWO ABSENT (Toni J. Minton, Elizabeth "Chiz" Matthews), MOTION CARRIED.**

3. Jennifer Misegan, Treasurer – Marquette 2% Distribution regarding NMU CNAS Project Payment (\$5,815.00 doubled)

**MOTION MADE BY CAROLE L. LAPOINTE TO AWARD \$5,815.00 TO THE DENTAL OUTREACH PROGRAM FOR MARQUETTE COUNTY HEALTH DEPARTMENT AND AMEND RESOLUTION KB-1964-2013 RELATED TO THE MARQUETTE TWO PERCENT DISTRIBUTION. 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., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Elizabeth "Chiz" Matthews), MOTION CARRIED.**

H. New Business:

1. Larry Denomie III, CEO – U.S. Oil Retailer Supply Agreement (U.S. Venture, Inc.) and Open Road Rewards Loyalty Program (5 years) Addendum A with the Pines Convenience Center

**Toni Minton arrived at 9:33 a.m.**

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE U.S. OIL RETAILER SUPPLY AGREEMENT AND OPEN ROAD REWARDS DEALER AGREEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN 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, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth "Chiz" Matthews), MOTION CARRIED.**

I. Closed Session:

1. Heather Chapman, Tribal Attorney – Ojibwa Housing Authority OHA Audit Report Review

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 9:38 A.M. SUPPORTED BY JENNIFER MISEGAN. FOUR IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr.), SIX OPPOSED (Elizabeth D. Mayo, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Carole L. LaPointe, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Elizabeth "Chiz" Matthews), MOTION DEFEATED.**

**Break: 9:39 – 9:54 a.m. (Eddy Edwards left at 9:54 a.m.)**

**MOTION MADE BY ELIZABETH D. MAYO TO RECONSIDER AND GO INTO CLOSED SESSION AT 9:56 A.M. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota), FIVE OPPOSED (Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), ABSTAINING - 0, ONE ABSENT (Elizabeth "Chiz" Matthews), TIE VOTE. PRESIDENT SWARTZ VOTED IN FAVOR, MOTION CARRIED.**

**Elizabeth Matthews arrived at 10:11 a.m.**

**Break: 10:52 – 11:06 a.m.**

**Lunch: 12:00 – 1:05 p.m. (Fred Dakota, Elizabeth Matthews, and Don Messer, Jr. left)**

**Eddy Edwards present at 1:30 p.m. - left at 2:00 p.m.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 2:30 P.M. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth “Chiz” Matthews, Don Messer, Jr.), MOTION CARRIED.**

OHA Audit Report –

**MOTION MADE BY ELIZABETH D. MAYO TO HAVE THE OHA BOARD AND THE CDC BOARD MEET WITH THE COUNCIL ON DECEMBER 5, 2013 TO GO OVER THE QUESTIONS RELATED TO TODAY'S CLOSED SESSION. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth “Chiz” Matthews, Don Messer, Jr.), MOTION CARRIED.**

**MOTION MADE BY JEAN JOKINEN THAT BASED ON THE PROFESSIONAL RECOMMENDATION OF THE ACCOUNTING FIRM SCHECHTER DOKKEN KANTER, COUNCIL DOES NOT PURSUE CONDUCTING A FORENSIC AUDIT ON THE OJIBWA HOUSING AUTHORITY, THIS ACCOUNTING FIRM HAS DONE A THOROUGH INVESTIGATION AND REPORTS IT SEES NO REASON TO PERFORM A FORENSIC AUDIT; AND TO KEEP THE LINES OF COMMUNICATION OPEN AND TO GET THE COUNCIL’S QUESTIONS ANSWERED. SUPPORTED BY ROBERT R.D. CURTIS, JR. THREE IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe), FOUR OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan), ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Fred Dakota, Elizabeth “Chiz” Matthews, Don Messer, Jr.), MOTION DEFEATED.**

J. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:35 P.M. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Robert R.D. Curtis, Jr., Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth “Chiz” Matthews, Don Messer, Jr.), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**TRIBAL CENTER CONFERENCE ROOM**  
**TUESDAY – NOVEMBER 26, 2013 – 9:00 A.M.**

A. Date: November 26, 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. 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
- \_\_\_ Elizabeth "Chiz" Matthews
- \_\_\_ Donald Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: November 26, 2013

G. Old Business:

1. Lindy Grell, Tribal Attorney
  - a) Mitch Bolo – New Business License Application for Bolo Productions
  - b) Jeff Lamson – Business License Renewal for Cue Master Food Services
2. Janice Halverson, CAP Administrator/Larry Denomie III, CEO – CAP Policy
3. Jennifer Misegan, Treasurer – Marquette 2% Distribution regarding NMU Project Payment

H. New Business:

1. Larry Denomie III, CEO – U.S. Oil Retail Supply Agreement

I. Closed Session:

1. President Swartz - Innovative Gaming Solutions Final Report Review
2. Heather Chapman, Tribal Attorney - OHA Audit Report

J. Adjournment: