

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
BIG BUCKS BINGO HALL
THURSDAY – JULY 25, 2019 – 9:00 A.M.**

- A. Date: July 25, 2019
- B. Call to Order: Vice President Loonsfoot called the meeting to order at 9:10 a.m.
- C. Invocation: Prayer by Gary Loonsfoot, Jr., Vice President and thoughts and prayers to Mike LaFernier and family who have recently lost a loved one and to those traveling here for the powwow
- D. Roll Call: Present: Gary F. Loonsfoot, Jr., Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Doreen G. Blaker, Treasurer
Robert R.D. Curtis, Jr.
Randall R. Haataja
Kim Klopstein
Michael F. LaFernier, Sr.
Rodney Loonsfoot (left at 11:16 a.m.)
Elizabeth D. Mayo
- Absent: Warren C. Swartz, Jr., President
Dale F. Goodreau
- E. Declaration of Quorum: Vice President Loonsfoot declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 25, 2019
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| Addition: | New Business-
Closed Session- | 2. Jason Ayres, Real Estate Officer – d) MDNR MOU
5. Sarah Smith, CEO – a) Final Pharmacy Audit Report
b) HUD Final Monitoring Report |
| Deletion: | New Business- | 8. Sarah Smith, CEO – Weekly Update |

MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

G. For Your Information:

1. Sanitation Deficiency System (SDS) Guide (for reporting sanitation deficiencies)
2. MDHHS/Tribal Forum and Listening Sessions on August 20, 2019 in Lansing, Michigan

H. Recognize Scheduled Delegation/Individuals:

1. Dr. Valoree Gagnon, Mentor/Marie Richards, PhD Student – Foundations for Integrating Traditional Knowledge in Environmental Assessments Project Overview (Student Internship with NRD and MTU). This is a Great Lakes Inter-Tribal Council (GLITC) Native American Research Centers for Health (NARCH) funded project, a graduate student internship study (Marie Richards) with the Natural Resources Department. Valoree is Marie's mentor on the project and they provided a project overview.

MOTION MADE BY TONI J. MINTON TO AUTHORIZE THE PRESIDENT OR VICE PRESIDENT TO SIGN A LETTER OF SUPPORT FOR THE STUDENT INTERNSHIP PROJECT. SUPPORTED BY KIM KLOPSTEIN. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

I. Larry Denomie III, Ojibwa Casinos General Manager/Weekly Update – available for your review

J. Old Business:

1. Joseph O'Leary/Gary Loonsfoot, Jr., KBIC Cannabis Developer – Articles of Incorporation of KBIC Elder Trust Fund (and By-Laws review)

Joseph is seeking approval for the Articles of Incorporation today. He intends to keep payments tax-free under the General Welfare Exclusion Act. The Board of Directors will be the (5) members of the Executive Council.

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE THE ARTICLES OF INCORPORATION OF THE KBIC ELDER TRUST FUND AND WAIVE THE FILING FEE FOR THE LLC. SUPPORTED BY KIM KLOPSTEIN. EIGHT IN FAVOR (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFernier), TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

Break: 10:10 - 10:30 a.m.

K. New Business:

1. Danielle Webb, Tribal Attorney – Special Counsel Contract with Dorsey & Whitney, LLP term ending September 30, 2020

MOTION MADE BY TONI J. MINTON TO APPROVE THE SPECIAL COUNSEL CONTRACT WITH DORSEY & WHITNEY, LLP. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

2. Paul Mooney, Assistant Tribal Attorney –

- a) Ed Janisse, General Manager of Eagle Radio – Site Use Agreement with Gospel Opportunities (Marquette) a 25 year lease with a 2% increase every 5 years on the Dodgeville Tower.

MOTION MADE BY TONI J. MINTON TO APPROVE THE SITE USE AGREEMENT WITH GOSPEL OPPORTUNITIES IN THE AMOUNT OF \$270.00 PER MONTH (WITH AN INCREASE OF 2% EVERY FIVE YEARS). SUPPORTED BY KIM KLOPSTEIN. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

- b) Kathy Mayo, Interim Health Administrator - Order Form and Master Services Agreement for HealthStream, Inc.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE HEALTHSTREAM ORDER FORM AND MASTER SERVICES AGREEMENT. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

- c) Gary Loonsfoot, Jr., Vice President/Alden Connor, Jr., Interim Director of Cultural Resources (not present) - SEMCO Energy Gas Company Cooperation Agreement “Marquette Connector Pipeline Project” \$100,000.00 (KBIC will monitor the project onsite)

SEMCO intends to construct a 42-mile natural gas pipeline in Marquette County, Michigan and KBIC desires to assess certain lands implicated by the project’s construction process to identify areas of cultural, archeological or historic significance to the Tribe in accordance with Section 106 of the National Historic Preservation Act.

Gary will attend the next Michigan Anishinabeg Cultural Preservation Repatriation Association (MACPRA) meeting with Alden on July 31, 2019 in Manistee, Michigan and will request a resolution to present to SEMCO demonstrating the Tribe's authority to bind all other tribes claiming areas of significant interest in Marquette County.

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE COOPERATION AGREEMENT WITH SEMCO ENERGY GAS COMPANY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

- d) Jason Ayres, Real Estate Officer - Michigan Department of Natural Resources (MDNR) Memorandum of Understanding (MOU)

MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE ZEBBA TO SAND POINT NON-MOTORIZED TRAIL MEMORANDUM OF UNDERSTANDING WITH THE MICHIGAN DNR. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

- 3. Jason Ayres, Real Estate Officer – Resolution KB-016-2019 Rebecca M. Chosa Lease Cancellation (noncompliance - abandoned and in a state of disrepair)

MOTION MADE BY RODNEY LOONSFOOT TO APPROVE RESOLUTION KB-016-2019 REBECCA M. CHOSA LEASE CANCELLATION. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

- 4. Jeanne Hirzel, Substance Abuse Programs Director - Request for Free Camping at the Ojibwa Campgrounds during the KBICSAP Opioid Prevention/Sobriety Powwow (August 26, 2019 – September 1, 2019) Powwow on August 31, 2019 is the International National Over Dose Awareness Day

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE REQUEST FOR FREE CAMPING FROM AUGUST 26 – SEPTEMBER 1, 2019. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFERNIER, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

5. Evelyn Ravindran, Natural Resources Director – New Organizational Chart for the Natural Resources Department (for budget and additional positions)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE NRD REORGANIZATIONAL CHART. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

6. Gary Loonsfoot, Jr., Vice President – Schedule Interviews for Gaming Commissioner Position (1) Seat 3 year term (2 applicants)

The interviews are scheduled for August 8th at 1:00 and 1:30 p.m.

7. Gary Loonsfoot, Jr., KBIC Cannabis Developer/Weekly Update – Verbal Report

Gary continues working on the purchase agreement approval with Derek Parker and Mark Abraham with Negaunee licenses. He plans to have a Community meeting during the Harvest Feast in the Fall.

L. Closed Session:

1. Paul Mooney, Assistant Tribal Attorney/Kathy Mayo, Interim Health Administrator - On-call Fill-in Pharmacist's Employment Agreement with Dennis Lund
2. Donald Messer, Jr., Baraga Casino Manager – Personal Issue
3. Doreen Blaker, KBIC Housing Department Director – Housing Waiver Request (withdrawn after discussion)
4. Danielle Webb, Tribal Attorney – Update
5. Sarah Smith, CEO –
 - a) Final Pharmacy Audit Report from July 9, 2019
 - b) 2016 HUD Final Monitoring Report Findings

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:15 A.M. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau), MOTION CARRIED.

Break: 11:16 - 11:27 a.m. (Rodney Loonsfoot left)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:36 P.M. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau, Rodney Loonsfoot), MOTION CARRIED.

Dennis Lund Pharmacist's Employment Agreement (On-call/Fill-in) July 29, 2019 – July 28, 2022

MOTION MADE BY KIM KLOPSTEIN TO APPROVE THE ON-CALL PHARMACIST'S EMPLOYMENT AGREEMENT WITH DENNIS LUND. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau, Rodney Loonsfoot), MOTION CARRIED.

Pharmacist Comp Time Allowance

MOTION MADE BY ELIZABETH D. MAYO TO ALLOW JOHN LASSILA TO UTILIZE ALL OF HIS HOURS ACCRUED COVERING THE PHARMACY SHIFTS AS COMP TIME WHILE HE WAS FILLING IN DUE TO NO ON-CALL PHARMACIST BEING AVAILABLE (ONE-TIME OCCURRENCE). SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau, Rodney Loonsfoot), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 12:39 P.M. SUPPORTED BY KIM KLOPSTEIN. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Randall R. Haataja, Kim Klopstein, Michael F. LaFernier, Sr., Elizabeth D. Mayo), ONE OPPOSED (Robert R.D. Curtis, Jr.), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Dale F. Goodreau, Rodney Loonsfoot), MOTION CARRIED.

Respectfully submitted,

Peggy Loonsfoot
Administrative Specialist