

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.

Dec. 17, 1936

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – JANUARY 31, 2013 – 9:00 A.M.**

APPROVED

10-30-14

- A. Date: January 31, 2013
- B. Call to Order: President Swartz called the meeting to order at 9:13 a.m.
- C. Invocation: Lord's Prayer and prayers for Blue Misegan
- D. Roll Call: Present: 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 (left at 1:24 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: January 31, 2013
- | | | |
|------------|-----------------|--|
| Deletions: | Old Business- | 1. Jacki Skytta, Casinos Marketing Manager – Casino Promotion Purchase Approval of 2013 Chevy Silverado Extended Cab |
| | Closed Session- | 2. Jeff Loman/Lori Sherman/Jessica Koski – Environmental Assessment |
| | | 3. Jennifer Misegan, Treasurer/Lori Sherman – Commercial Fishing |

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA WITH THE DELETIONS. 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.

G. For Your Information:

1. 2013 Kid’s Fishing Derby – List of Fishermen/Fisherwomen Names (add Chico Knapp and Jesse Knapp)

H. Approval of Meeting Minutes:

1. December 21, 2011 (Tabled on 1/24/13)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE DECEMBER 21, 2011 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, FOUR ABSTAINING (Jennifer Misegan, Robert R.D. Curtis, Jr., Carole L. LaPointe, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

2. January 7, 2012

MOTION MADE BY FRED DAKOTA TO APPROVE THE JANUARY 7, 2012 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Carole L. LaPointe, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

3. January 12, 2012

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 12, 2012 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, FOUR ABSTAINING (Jennifer Misegan, Robert R.D. Curtis, Jr., Carole L. LaPointe, Don Messer, Jr.), ABSENT - 0, MOTION CARRIED.

I. Old Business:

1. President Swartz – 3rd Reading Proposed Ordinance 2013-02 Tribal Code Title 3 – Criminal Penalties for Misuse of the Law Enforcement Information Network (LEIN) or National Crime Information Center (NCIC)

President Swartz read the Legislative Process.

MOTION MADE BY ELIZABETH D. MAYO TO ADOPT PROPOSED ORDINANCE 2013-02 TO AMEND TITLE THREE ADDING SECTION 3.611 TO PROVIDE CRIMINAL PENALTIES FOR THE MISUSE OF THE LAW ENFORCEMENT INFORMATION NETWORK AND THE NATIONAL CRIME INFORMATION CENTER. SUPPORTED BY FRED DAKOTA.

Amending the word “network” (NCIN) to “center” (NCIC) -

MOTION MADE BY JENNIFER MISEGAN TO AMEND PROPOSED ORDINANCE 2013-02 TO CORRECT THE SPELLING ERRORS REGARDING NATIONAL CRIME INFORMATION CENTER (NCIC). SUPPORTED BY FRED DAKOTA. 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.

MOTION MADE BY ELIZABETH D. MAYO TO ADOPT PROPOSED ORDINANCE 2013-02 TO AMEND TITLE THREE ADDING SECTION 3.611 TO PROVIDE CRIMINAL PENALTIES FOR THE MISUSE OF THE LAW ENFORCEMENT INFORMATION NETWORK AND THE NATIONAL CRIME INFORMATION CENTER. SUPPORTED BY FRED DAKOTA. 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.

J. Closed Session:

1. Skip Durocher/Mary Streitz, Chandra Kilgriff, Dorsey and Whitney Attorneys –
 - a) Update on Indian Law and Current KBIC Litigation
 - b) Lunch
2. Larry Denomie III, CEO – Selection of Applicants
 - a) Tribal Forester
 - b) Transfer Station Manager
 - c) Tribal Background Investigator
3. Pam Nankervis, NRD Wildlife Biologist - Amended Service Agreement with Marla Bradley of North Country Web Design for KBNRD Website

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 9:30 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), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen, Don Messer, Jr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 9:31 – 9:42 a.m.

Lunch: 12:08 – 1:03 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:21 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

Elizabeth Matthews left at 1:24 p.m.

K. New Business:

1. Kit Laux, NRD Water Resource Technician – 5th Annual KBIC Environmental Fair Funding Budget Request of \$2,500.00 April 24, 2013

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE ANNUAL KBIC ENVIRONMENTAL FAIR BUDGET REQUEST UNTIL OTHER SOURCES ARE SEARCHED. SUPPORTED BY SUSAN J. LAFERNIER. 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.

2. Larry Denomie III, CEO –

- a) Senior Income Tax Preparation Options (postponed until February 2, 2013) He will solicit bids
- b) Weekly Update (for Saturday meeting)

Tribal Forester Position –

MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE TRIBAL FORESTER POSITION TO GERALD JONDREAU. 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, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.

The Council consensus was to have the Transfer Station Manager and Background Investigator positions be hired by the Hiring Committee.

MOTION MADE BY ELIZABETH D. MAYO TO POST THE BACKGROUND INVESTIGATOR POSITION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Elizabeth “Chiz” Matthews), MOTION CARRIED.

Amendment to Services Agreement with Marla Bradley of North Country Web Design for KBNRD Website additional \$700.00 -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AMENDMENT TO SERVICES AGREEMENT WITH MARLA BRADLEY. 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, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth "Chiz" Matthews), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 1:51 P.M. 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.

Respectfully submitted,



Peggy Minton
Administrative Specialist

**AGENDA
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SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
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A. Date: January 31, 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
 ___ Don Messer, Jr.

E. Declaration of Quorum:

F. Approval of Agenda: January 31, 2013

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J. New Business:

1. Kit Laux, NRD Water Resource Technician – Annual KBIC Environmental Fair Budget Request
2. Larry Denomie III, CEO –
 - a) Senior Income Tax Prep Options
 - b) Weekly Update

K. Closed Session:

1. Skip Durocher/Mary Streitz, Dorsey and Whitney Attorneys –
 - a) Update on Indian Law and Current KBIC Litigation – **9:30 a.m.**
 - b) Lunch – **12:00 p.m.**
 - c) Tribal Attorney Office Staff/Others – **1:00 p.m.**
2. Jeff Loman/Lori Sherman, Natural Resources Director/Jessica Koski, NRD Mining Technical Assistant – Environmental Assessment – **2:00 p.m.**
3. Jennifer Misegan, Treasurer/Lori Sherman, Natural Resources Director – Commercial Fishing
4. Larry Denomie III, CEO – Selection of Applicants
 - a) Tribal Forester
 - b) Transfer Station Manager
 - c) Tribal Background Investigator
5. Pam Nankervis, NRD Wildlife Biologist - Amended Service Agreement with Marla Bradley of North Country Web Design for KBNRD Website

L. Adjournment: