

# KEWEENAW BAY INDIAN COMMUNITY

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

## 2017 TRIBAL COUNCIL

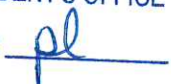
WARREN C. SWARTZ, JR., President  
JENNIFER MISEGAN, Vice President  
SUSAN J. LAFERNIER, Secretary  
TONI J. MINTON, Assistant Secretary  
DOREEN G. BLAKER, Treasurer

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  
TUESDAY – DECEMBER 19, 2017 – 9:00 A.M.**

**APPROVED**

JAN 18 2018

KBIC PRESIDENT'S OFFICE  
SIGNATURE: 

- A. Date: December 19, 2017
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord's Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Jennifer Misegan, Vice President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary (left 11:52 a.m. – 12:06 p.m., left at 12:08 p.m.)  
Doreen G. Blaker, Treasurer (left at 11:50 a.m.)  
Robert R.D. Curtis, Jr. (left 12:04 – 1:07 p.m.)  
Fred Dakota (left at 10:43 a.m.)  
Randall R. Haataja  
Michael F. LaFernier, Sr. (arrived at 10:04 a.m.)  
Gary F. Loonsfoot, Jr.  
Rodney Loonsfoot (left at 11:14 a.m.)  
Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 19, 2017
- Move: Recognize Scheduled Delegation/Individuals to Closed Session [Open to KBIC Members and Non-Tribal Fire Fighters]
- Additions: New Business- 5. Larry Denomie III, CEO – b) Global Market Advisors Proposal Update  
c) Gundlach Champion, Inc. Financial Request

**MOTION MADE BY RANDALL R. HAATAJA TO APPROVE THE AGENDA WITH THE CHANGES. CO-SUPPORTED BY DOREEN G. BLAKER AND GARY F. LOONSFOOT, JR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

G. Closed Session: [Open to KBIC Members and Non-Tribal Fire Fighters]

1. BIA Representatives: Jason Oberle, Superintendent/Christopher Wiggins/Thomas Remus/Scott Virden - Beartown Fire Program

**MOTION MADE BY RANDALL R. HAATAJA TO GO INTO CLOSED SESSION AT 9:12 A.M. AND OPEN TO KBIC MEMBERS AND NON-TRIBAL FIRE FIGHTERS. SUPPORTED BY GARY F. LOONSFOOT, JR. TEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Randall R. Haataja, Gary F. Loonsfoot, Jr., Rodney Loonsfoot, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

**Michael LaFernier, Sr. arrived at 10:04 a.m.**

**Break: 10:07 – 10:18 a.m. Council then met with the B.I.A. personnel only.**

**Fred Dakota left at 10:43 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 11:12 A.M. SUPPORTED BY GARY F. LOONSFOOT, JR. 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.**

**Rodney Loonsfoot left at 11:14 a.m.**

H. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –
  - a) Sarah Smith, Assistant CEO - Agreement Between Owner and Architect with U.P. Engineers & Architects, Inc. for professional architectural and engineering services and Certificate of Liability Insurance for the Halfway House Project

Compensation for basic services \$82,000.00

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE KBIC AGREEMENT BETWEEN OWNER AND ARCHITECT WITH U.P. ENGINEERS AND ARCHITECTS, INC. FOR THE HALFWAY HOUSE PROJECT. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Gary F. Loonsfoot, Jr.), TWO OPPOSED (Michael F. LaFernier, Sr., Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

b) Susanna Peters, Hancock, MI Independent Appeals Officer Contract

December 18, 2017 – December 17, 2020

Compensation \$150.00 per hour plus travel expenses

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE INDEPENDENT APPEALS OFFICER CONTRACT WITH SUSANNA PETERS. SUPPORTED BY JENNIFER MISEGAN. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

- c) Ojibwa Casino I (Baraga) Renewal License to Purchase and Sell Tobacco Products
- d) Ojibwa Casino II (Marquette) Renewal License to Purchase and Sell Tobacco Products

January 21, 2018 – January 20, 2019

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE LICENSE TO PURCHASE AND SELL TOBACCO PRODUCTS FOR OJIBWA CASINO I AND OJIBWA CASINO II PROPERTIES. SUPPORTED BY RANDALL R. HAATAJA. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

2. Jason Ayres, Real Estate Officer –

- a) Resolution KB-063-2017 Support of the Construction of the Non-Motorized Trail for the Michigan Department of Transportation (MDOT) Permit Application

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-063-2017 SUPPORT OF THE CONSTRUCTION OF THE NON-MOTORIZED TRAIL FOR THE MDOT PERMIT APPLICATION. SUPPORTED BY SUSAN J. LAFERNIER. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

- b) Resolution KB-061-2017 Geospatial Project Proposal with Luis Verissimo (Possible year end funding from the B.I.A. up to \$200,000.00)

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE RESOLUTION KB-061-2017 GEOSPATIAL PROJECT PROPOSAL. SUPPORTED BY SUSAN J. LAFERNIER. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

3. Rachel McDonald, Forester –

- a) Resolution KB-059-2017 Forest Deduction Management Account FY2018

October 1, 2017 – September 30, 2018 \$7,249.54

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-059-2017 FOREST DEDUCTION MANAGEMENT ACCOUNT FY2018. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

- b) Resolution KB-062-2017 Forestry Property Line Determination Proposal \$13,948.00 (Possible year end B.I.A. funding)

**MOTION MADE BY RANDALL R. HAATAJA TO APPROVE RESOLUTION KB-062-2017 FORESTRY PROPERTY LINE DETERMINATION PROPOSAL. SUPPORTED BY ELIZABETH D. MAYO. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

4. Tyler Larson, Director of Social Services - Request for an additional Employee/Budget Increase (Social Services Specialist)

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE AN ADDITIONAL \$65,000.00 TO THE SOCIAL SERVICES BUDGET FOR AN ADDITIONAL EMPLOYEE AND TO POST FOR THIS POSITION. SUPPORTED BY GARY F. LOONSFOOT, JR. 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., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

Space is needed at the Social Services Department and it will be placed as an ICDBG priority.

5. Larry Denomie III, CEO –

a) Weekly Update

Hannah Beesley has accepted and will be transferring from Personnel Director for the Government to the HR Director position for the Ojibwa Casinos. It is not contractual as was posted and has been moved to a Grade 13. (The current grade is an 11).

Discussion.

**Doreen Blaker left at 11:50 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO CLOSED SESSION AT 11:51 A.M. CO-SUPPORTED BY MICHAEL F. LAFERNIER, SR. AND GARY F. LOONSFOOT, JR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, THREE ABSENT (Doreen G. Blaker, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

**Toni Minton left at 11:52 a.m.**

**President Swartz and Robert R.D. Curtis, Jr. left at 12:04 p.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:07 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR.**

**Vice President Misegan did not call for the vote.**

**President Swartz and Toni Minton returned.**

**Lunch: 12:08 – 1:00 p.m. (Toni Minton left)**

The vote for Open Session was taken:

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:01 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ONE IN FAVOR (Michael F. LaFernier, Sr.), FIVE OPPOSED (Jennifer Misegan, Susan J. LaFernier, Randall R. Haataja, Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Fred Dakota, Rodney Loonsfoot), MOTION DEFEATED.**

**Robert R.D. Curtis, Jr. returned at 1:07 p.m.**

Discussed in Closed Session:

- b) Global Market Advisors Proposal Update
- c) Gundlach Champion, Inc. Financial Request (Marquette)

**MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 2:42 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

Human Resources (HR) Director Position – Ojibwa Casinos

**MOTION MADE BY ELIZABETH D. MAYO TO REPOST THE POSITION OF HR DIRECTOR AT A GRADE 13. SUPPORTED BY GARY F. LOONSFOOT, JR. SIX IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

I. For Your Information:

1. An update from the Agency for Toxic Substances and Disease Registry (ATSDR) concerning the L'Anse Warden Electric Company Air Emissions and a 45-Day Public Comment Period regarding the ATSDR Health Consultation Assessment
2. U.S. Department of the Interior Bureau of Indian Affairs Office of Justice Services FY2018 Law Enforcement Re-Contracting Proposal approved pending Congressional Authority

J. Adjournment:

**MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 2:45 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Jennifer Misegan, Susan J. LaFernier, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Jr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Fred Dakota, Rodney Loonsfoot), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**BIG BUCKS BINGO HALL**  
**TUESDAY – DECEMBER 19, 2017 – 9:00 A.M.**

A. Date: December 19, 2017

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: December 19, 2017

G. For Your Information:

1. An update from the Agency for Toxic Substances and Disease Registry (ATSDR) concerning the L'Anse Warden Electric Company Air Emissions and a 45-Day Public Comment Period regarding the ATSDR Health Consultation Assessment
2. U.S. Department of the Interior Bureau of Indian Affairs Office of Justice Services FY2018 Law Enforcement Re-Contracting Proposal approved pending Congressional Authority

H. Recognize Scheduled Delegation/Individuals:

1. BIA Representatives: Jason Oberle, Superintendent/Christopher Wiggins/Thomas Remus/Scott Virden - Beartown Fire Program – **9:00 a.m.**

I. New Business:

1. Bobby Escobar, Assistant Tribal Attorney –

- a) Sarah Smith, Assistant CEO - Agreement Between Owner and Architect with U.P. Engineers & Architects, Inc./Certificate of Liability Insurance
  - b) Susanna Peters - Independent Appeals Officer Contract
  - c) Ojibwa Casino I (Baraga) License to Purchase and Sell Tobacco Products
  - d) Ojibwa Casino II (Marquette) License to Purchase and Sell Tobacco Products
2. Jason Ayres, Real Estate Officer –
    - a) Resolution KB-061-2017 Geospatial Project Proposal
    - b) Resolution KB-063-2017 Support of the Construction of the Non-Motorized Trail for MDOT Permit Application
  3. Rachel McDonald, Forester –
    - a) Resolution KB-059-2017 Forest Deduction Management Account FY2018
    - b) Resolution KB-062-2017 Forestry Property Line Determination Proposal
  4. Tyler Larson, Director of Social Services - Budget Modification Request for an additional Employee
  5. Larry Denomie III, CEO – Weekly Update

J. Adjournment: