

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
MONDAY – OCTOBER 18, 2010 – 9:00 A.M.**

- A. Date: October 18, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:20 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President (left at 11:33 a.m.)
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 9:47 a.m., left 1:15 – 1:35 p.m.)
Gary F. Loonsfoot, Sr. (arrived at 9:42 a.m., left 1:15 – 3:17 p.m.)
Elizabeth D. Mayo (left 3:07 – 3:26 p.m.)
Toni J. Minton
Absent: Jerry Lee Curtis
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 18, 2010
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|------------|---------------|--------------------------------------------------|
| Additions: | Old Business- | 2. Eddy Edwards – b) MEBS Discussion |
| | New Business- | 7. Jennifer Misegan – Christmas Check Guidelines |
| Deletion: | New Business- | 2. Tom Lofquist – Plow Truck Bids |

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

G. For Your Information:

1. Bemidji Area Office I.H.S. Request to decorate their tree with bulbs decorated by the Tribes they serve – KBIC Christmas Bulb Decoration and Design Request – Consensus is to have Christine Edwards design the bulb with the KBIC logo.
2. Recent Grant Awards by Sarah Smith
3. Department of Health and Human Services Secretary’s Tribal Advisory Committee Seeking Nominations (will inquire with Carole LaPointe, DHHS Director)
4. VOIGT Intertribal Task Force Meeting Minutes 9/2/10 – Odanah, WI

H. Approval of Meeting Minutes:

1. May 8, 2010

Gary Loonsfoot, Sr. arrived at 9:42 a.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE MAY 8, 2010 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), THREE ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. May 13, 2010

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MAY 13, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

I. Old Business:

1. Summer Cohen – Joe Jacker/THPO – LVD – L’Anse Trail Corridor Plan – M.O.U. with the USDA Forest Service Ottawa National Forest for 5 years

Mike LaFernier, Sr., arrived at 9:47 a.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE MOU REGARDING THE LVD L’ANSE TRAIL CORRIDOR PLAN. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

2. Eddy Edwards, Treasurer –

a) MOA with KBOCC

Break: 10:08 – 10:22 a.m.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MOA WITH KBOCC. SUPPORTED BY WILLIAM E. EMERY.

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE MOA WITH KBOCC UNTIL THE COLLEGE CAN REVIEW IT. SUPPORTED BY SUSAN J. LAFERNIER. FOUR IN FAVOR (Susan J. LaFernier, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Toni J. Minton), THREE OPPOSED (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards), ONE ABSTAINING (Gary F. Loonsfoot, Sr.), THREE ABSENT (Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

(Fred Dakota is out of the room)

b) MEBS Discussion

MOTION MADE BY EDDY EDWARDS TO DIRECT STAFF TO REQUIRE VINCE ROSE TO APPROACH THE COUNCIL WITH A SUMMARY OF THE PROGRAM PERFORMANCE OF OUR HEALTH CARE BENEFITS, 6 MONTHS SUMMARY WITH THE MEBS PROGRAM, AND TO INITIATE A DISCUSSION FOR NEXT YEAR. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

J. New Business:

1. Gregg Nominelli, Economic Developer –

a) Wind Monitoring Contract Purchase Requests

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PURCHASE REQUESTS FOR \$15,690.00 (PAYMENT 1 OF 5) WITH AMERICAN WIND & ENERGY GROUP, LLC AND (PAYMENT 1 OF 2) \$33,300.00 TO SEVENTH GENERATION ENERGY SYSTEMS, INC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

President Swartz stated, for future reference, that if a contract has been approved the purchase request does not need to come before the Council for approval.

- b) Resolution KB-1780-2010 KBIC Correctional Facilities Advisory Board to study and advise the Community on the needs for a correction or detention facility on Tribal lands

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1780-2010 CORRECTIONAL FACILITIES ADVISORY BOARD. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

2. Jim Stingle, Grant Writer – Resolution KB-1779-2010 ICDBG Public Facilities and Improvement Project Application for installation of water lines on Brewery, Vuk, and Dynamite Hill Roads

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1779-2010 ICDBG WATERLINE APPLICATION. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

3. Gary Loonsfoot, Jr., Language Coordinator – 2011 Community Calendars Request (1000 Calendars) from Homestead Graphics

MOTION MADE BY EDDY EDWARDS TO APPROVE \$4,030.00 FOR THE COMMUNITY CALENDARS OUT OF TRIBAL COUNCIL DONATIONS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Elizabeth Mayo suggested getting with DHHS as they have many pictures of the Community members.

The Community Calendars will be added to next year’s budget.

Mike LaFernier, Sr. left 10:57 – 11:13 a.m.

4. Robert Mudd, Baraga Casino General Manager - Title 31 Training Proposal for Baraga and Marquette Properties November 29-30, 2010

MOTION MADE BY TONI J. MINTON TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH JOSEPH EVE FOR THE TITLE 31 TRAINING PROPOSAL FOR THE BARAGA AND MARQUETTE PROPERTIES IN THE AMOUNT OF \$11,400.00. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Isabelle H. Welsh), MOTION CARRIED.

5. President Swartz – Sponsorship Request for the “Howl-O-Scream” Haunted House at the Whirl-I-Gig October 29-30

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE REQUEST FROM TIM USIMAKI IN THE AMOUNT OF \$200.00 FOR THE HAUNTED HOUSE EVENT AT THE WHIRL-I-GIG. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

6. Jennifer Misegan – 2010 Christmas Gift Check Guidelines/Timelines

MOTION MADE BY EDDY EDWARDS TO APPROVE THE CHRISTMAS GIFT CHECK GUIDELINES FOR 2010. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Deductions will only be taken from an order by Tribal Court. The Child Support Office can only take up to 65%.

K. Closed Session:

1. Larry Denomie III, CEO – 2011 Budget Review
2. John Baker, Attorney

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:33 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

William Emery left at 11:33 a.m.

Lunch: 11:35 a.m. – 1:15 p.m.

Mike LaFerner, Sr. returned from lunch at 1:35 p.m.

Elizabeth Mayo left 3:07 – 3:26 p.m.

Gary Loonsfoot, Sr. returned from lunch at 3:17 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 3:40 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Christmas Gift Check Approval – Baraga and Marquette Counties

MOTION MADE BY FRED DAKOTA TO APPROVE THE CHRISTMAS CHECKS IN THE AMOUNT OF \$1,400.00 FOR MEMBERS 18 YEARS AND OLDER IN THE DESIGNATED AREAS AS DISCUSSED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Senior/Disability Pension Check Increase –

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO INCREASE THE SENIOR AND DISABLED PENSION CHECKS BY \$25.00 EFFECTIVE NOVEMBER 1, 2010. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Supervision of Casino Human Resources and Cage –

MOTION MADE BY EDDY EDWARDS TO TRANSFER THE SUPERVISION OF THE HUMAN RESOURCE FOR THE CASINO AND CASINO CAGE TO BE UNDER THE SUPERVISION OF THE GENERAL MANAGER OF THE CASINOS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Gaming Commission Secretary Moved to Full-Time –

MOTION MADE BY EDDY EDWARDS TO MOVE THE GAMING COMMISSION SECRETARY POSITION FROM PART-TIME TO FULL-TIME. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Student Sovereign Fund Amendment –

MOTION MADE BY TONI J. MINTON TO AMEND THE STUDENT SOVEREIGN FUND POLICY TO INCLUDE GOGEBIC COUNTY AND BAY MILLS COMMUNITY COLLEGE (BMCC) IMMERSION STUDENTS. SUPPORTED BY SUSAN J. LAFERNIER. FIVE IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Gary F. Loonsfoot, Sr., Toni J. Minton), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 3:48 P.M. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist