

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JULY 21, 2011 – 9:00 A.M.**

- A. Date: July 21, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:11 a.m.
- C. Invocation: Lord’s Prayer and prayers for those in the hospital
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFerner, Secretary
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis (left at 10:03 a.m.)
Fred Dakota (arrived at 10:02 a.m.)
Michael F. LaFerner, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews (arrived at 9:40 a.m.)
Isabelle Helene Welsh (left at 11:00 a.m.)
Absent: Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 21, 2011

MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE AGENDA. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), MOTION CARRIED.

G. For Your Information:

1. Gaming Commission Meeting Minutes 6/2/11, 6/7/11, 6/22/11
2. VOIGT Intertribal Task Force Meeting Minutes June 2, 2011 in Odanah, WI

3. Indian Land Consolidation Program (ILCP) 3rd Quarter Update FY2011 from U.S. Department of Interior - BIA
4. A copy of a letter to the Michigan Department of Civil Rights regarding Michigan Indian Tuition Waiver from the North American Indian Association of Detroit
5. Ojibwa Housing Authority Balance Sheet as of 4/30/11
6. Ojibwa Housing Authority Statement of Revenues and Expenditures from 10/1/10 through 4/30/11

H. Approval of Meeting Minutes:

1. December 16, 2010

MOTION MADE BY EDDY EDWARDS TO APPROVE THE DECEMBER 16, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), MOTION CARRIED.

2. January 6, 2011

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE JANUARY 6, 2011 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), MOTION CARRIED.

3. January 8, 2011

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 8, 2011 MEETING MINUTES. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), MOTION CARRIED.

I. Old Business:

1. Cheryne Clements, Fitness and Youth Programs Director - KBIC Youth Programs Chaperone Policy

MOTION MADE BY EDDY EDWARDS TO APPROVE THE YOUTH PROGRAMS CHAPERONE POLICY WITH THE CHANGES. SUPPORTED BY ISABELLE H. WELSH. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), MOTION CARRIED.

Cheryne will work on a trip policy and bring to the Council in two weeks.

2. Larry Denomie III, CEO –

a) Los Tres Amigos (Marquette) Update

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGREEMENT WITH AECOM TECHNICAL SERVICES OF MICHIGAN, INC. FOR \$3,000.00 FOR THE ASBESTOS AND LEAD-BASED PAINT SURVEY ON THE FORMER LOS TRES AMIGOS RESTAURANT. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Matthews arrived at 9:40 a.m.

b) Tribal School Information/Amy St. Arnold, Education Director

Amy, President Swartz, Larry Denomie, CEO, and Susan LaFernier met with Tim Miller from the Hannahville Indian School for input on charter schools. He offered pros and cons of a charter school and estimated costs to fund the school along with the estimated cost of conducting a community survey. The startup cost is estimated at \$5 million and will take approximately \$2 million yearly to operate a school of 150 students. The school must follow the state rules and must state what will be different than what the public schools have to offer.

Larry Denomie suggested a door-to-door survey. The approximate cost for the survey is \$3,000.00 and may be paid from the ANA Grant.

Fred Dakota arrived at 10:02 a.m.

MOTION MADE BY ISABELLE H. WELSH TO APPROVE MOVING FORWARD IN CONDUCTING A SURVEY FOR A CHARTER SCHOOL. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

Break: 10:03 – 10:21 a.m.

Jerry Lee Curtis left at 10:03 a.m.

J. New Business:

1. Karen Anderson, CEO of North Star Academy A Michigan Public Charter School K-12 of Marquette/Jack Noble, Treasurer – Two (2) Proposals for Investment of North Star Academy School

Karen is asking the Tribe to consider a business loan of \$890,000.00 for 15 years at 2.75% interest rate or re-finance their entire mortgage of \$2,545,000.00 for 15 years at 2.5-3.0% interest rate. The Council will consider the investment during budget reviews.

Isabelle Welsh left at 11:00 a.m.

2. Jason Ayres, Realty Officer – Resolution KB-1848-2011 Shirley A. Zasadnyj Residential Lease Hold Interest Sale to her son David B. Zasadnyj and Lisa A. Zasadnyj

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1848-2011 SHIRLEY A. ZASADNYJ RESIDENTIAL LEASE HOLD INTEREST SALE. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Eddy Edwards, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

(Eddy Edwards is out of the room)

3. Bruce LaPointe, Projects Manager –
 - a) Resolution KB-1844-2011 Department of Interior Road Maintenance Contract for \$15,000.00 for 2011-2013

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1844-2011 DEPARTMENT OF INTERIOR ROAD MAINTENANCE CONTRACT. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

- b) MOA with Indian Health Service – On Site Waste Water Management for homes for \$93,000.00 to assist with sewage treatment and disposal needs.

MOTION MADE BY FRED DAKOTA TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN KBIC AND INDIAN HEALTH SERVICE FOR PROJECT BE-11-G35. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

4. Robert Mudd, Baraga Casino General Manager –

- a) Pressbox Ceiling Tile Bids (2) from Ojibwa Builders and Michael Whitman Construction (low bid)/Dotti Pryor, Pressbox Manager

The Council suggested Dotti get a request of proposal between the two bids so they are bidding on the same project.

MOTION MADE BY WILLIAM E. EMERY TO TABLE THE CEILING TILE REQUEST FOR TWO WEEKS UNTIL IT CAN BE RE-BID. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

- b) Assistant General Manager Training/Travel Request for 5 days Table Games and Slot Area Training in August

MOTION MADE BY EDDY EDWARDS TO APPROVE \$2,494.00 FOR THE ASSISTANT GENERAL MANAGER’S TRAINING AND TRAVEL. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

K. Closed Session:

1. Robert Mudd, Baraga Casino General Manager – Assistant General Manager Budget
2. Carole LaPointe, Health Director – OVW Organizational Structure
3. Government Appeal of Dismissal Hearing Case #004-11

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:30 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

Lunch: 11:51 a.m. – 1:12 p.m.

Break: 2:15 – 2:22 p.m.

Office of Violence Against Women (OVW) Organizational Structure – (No handout provided)

MOTION MADE BY WILLIAM E. EMERY TO TABLE THE OVW ORGANIZATIONAL STRUCTURE UNTIL THE COUNCIL RECEIVES THE INFORMATION FROM CAROLE LAPOINTE. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

Government Appeal of Dismissal Hearing Case #004-11 –

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO OVERTURN THE DECISION OF THE CEO IN CASE #004-11. SUPPORTED BY WILLIAM E. EMERY. THREE IN FAVOR (William E. Emery, Eddy Edwards, Elizabeth “Chiz” Matthews), FIVE OPPOSED (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION DEFEATED.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO UPHOLD THE DECISION OF THE CEO IN CASE #004-11.

Gary withdrew his motion.

L. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 2:43 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist