

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – DECEMBER 15, 2011 – 9:00 A.M.**

- A. Date: December 15, 2011
- B. Call to Order: Vice President Emery called the meeting to order at 9:06 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: William E. Emery, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Elizabeth D. Mayo, Treasurer (arrived at 9:13 a.m.)
Jerry Lee Curtis (arrived at 9:21 a.m., left at 12:10 p.m.)
Eddy Edwards
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr. (arrived at 9:11 a.m., left 10:56 – 11:13 a.m.)
Elizabeth “Chiz” Matthews (left 10:55 a.m. – 1:15 p.m.)
Isabelle Helene Welsh (left at 12:10 p.m.)
Absent: Warren C. Swartz, Jr., President
Fred Dakota
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 15, 2011
- Additions: New Business- 8. Eddy Edwards – Senior Pension for Ontonagon County
Old Business- 1. Jennifer Misegan – Sales and Use Tax Reimbursement
Policy Revision

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Gary Loonsfoot, Sr. arrived at 9:11 a.m.)

G. For Your Information:

1. NRD Distribution of Radon Test Kits during January - Radon Action Month
2. VOIGT Intertribal Task Force Meeting Minutes 11/3/11 Odanah, WI
3. FY2010 HUD Rural Innovation Fund Indian Economic Development and Entrepreneurship Application Selected for Funding (\$800,000.00)

H. Approval of Meeting Minutes:

Elizabeth Mayo arrived at 9:13 a.m.

1. April 7, 2011

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE APRIL 7, 2011 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota), MOTION CARRIED.

2. April 14, 2011

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE APRIL 14, 2011 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Elizabeth D. Mayo, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota), MOTION CARRIED.

3. April 21, 2011

MOTION MADE BY EDDY EDWARDS TO APPROVE THE APRIL 21, 2011 MEETING MINUTES. SUPPORTED BY ISABELLE H. WELSH. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota), MOTION CARRIED.

Jerry Lee Curtis arrived at 9:21 a.m.

I. New Business:

1. Larry Denomie III, CEO – Weekly Update – available for your review

2. Judy Heath, Social Services Director – Conducting Background/Character Investigations On-Site Training Program (35-43 persons) February 16-17, 2012

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE CONFIRMATION FOR THE ON-SITE TRAINING PROGRAM FOR CONDUCTING “BACKGROUND AND CHARACTER INVESTIGATIONS” UNDER P.L.101-630. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Elizabeth D. Mayo, Jerry Lee Curtis, Eddy Edwards, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

3. Jason Ayres, Realty Officer (not present) – Resolution KB-1867-2011 Daniel R. and Elizabeth H. Connor Residential Lease (Beartown Housing Division)

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1867-2011 DANIEL R. AND ELIZABETH H. CONNOR RESIDENTIAL LEASE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Elizabeth D. Mayo, Jerry Lee Curtis, Eddy Edwards, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr.), TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

4. Jim Stingle, Grant Writer – Resolution KB-1866-2011 FY2012 ICDBG Solid Waste Management Facility Application for Transfer Station Equipment and Site Work Estimates (\$600,000.00)

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1866-2011 ICDBG TRANSER STATION. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Elizabeth D. Mayo, Jerry Lee Curtis, Eddy Edwards, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

5. Elizabeth Mayo, Treasurer/Hannah MISEGAN – Donation Request for Baraga County RICC Christmas Party December 21, 2011 at the KC

MOTION MADE BY EDDY EDWARDS TO APPROVE THE DONATION REQUEST BY HANNAH MISEGAN OF \$1,000.00 FOR THE RICC ANNUAL CHRISTMAS PARTY. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Elizabeth D. Mayo, Jerry Lee Curtis, Eddy Edwards, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

6. John Baker, Attorney – Renewal Business License Fadil Ibraimi Red Apple Family Restaurant

MOTION MADE BY EDDY EDWARDS TO APPROVE THE RED APPLE RESTAURANT BUSINESS LICENSE RENEWAL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Jerry Lee Curtis, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

Break: 10:13 – 10:28 a.m.

7. Ed Janisse, Radio Station Manager/Larry Denomie III, CEO – Facility Update

Ed prepared a PowerPoint presentation for the Council, “The Key to Success” containing his ideas to maximize the resources and minimize the expenses at Eagle Radio WCUP AND WGLI. Phase 1 of his presentation is to consolidate both offices. Phase 2 would include a noticeable savings every month with fewer expenses. The Council requested more information.

Elizabeth Matthews left at 10:55 a.m.

Gary Loonsfoot, Sr. left 10:56 – 11:13 a.m.

8. Eddy Edwards – Senior Pension for Ontonagon County

Brenda Jackman (present) is requesting on behalf of her mother, Viola Banuchie that she receive the KBIC Senior Pension if she were to move into her home in Ontonagon so she may care for her.

The Council requested a list of Seniors living in Ontonagon County.

There are 26 Tribal members living in Ontonagon County and (7) are 62 years and older.

Lunch: 12:10 – 1:15 p.m.

Elizabeth “Chiz” Matthews returned at 1:15 p.m.

Jerry Lee Curtis and Isabelle Welsh left at 12:10 p.m.

J. Old Business:

1. Jennifer Misegan – KBIC Sales/Use Tax Reimbursement Policy (Amendment)

MOTION MADE BY EDDY EDWARDS TO DISCONTINUE ALL STATE TAX REIMBURSEMENTS FOR VEHICLES BECAUSE THE STATE IS NOT REIMBURSING THE TRIBE. SUPPORTED BY GARY F. LOONSFOOT, SR. THREE IN FAVOR (Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr.), FOUR OPPOSED (Susan J. LaFernier, Elizabeth D. Mayo, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION DEFEATED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SALES/USE TAX REIMBURSEMENT POLICY TO INCLUDE (IN CRITERIA) “ALL OWNERS MUST RESIDE IN THE SAME HOUSEHOLD, UNLESS OWNED ENTIRELY BY TRIBAL MEMBERS WHO ARE ALL LIVING ON THE RESERVATION”. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINING (Eddy Edwards, Gary F. Loonsfoot, Sr.), FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

K. Closed Session:

1. John Baker, Attorney

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 1:28 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Eddy Edwards), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO OPEN SESSION AT 1:50 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

Ronald Demaray and Dorsey and Whitney Professional Services Agreement Addendum – Contract Support Costs Claims Phase II Services

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT WITH RONALD DEMARAY AND DORSEY AND WHITNEY. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO AT 1:52 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist