

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – FEBRUARY 23, 2012 – 9:00 A.M.**

- A. Date: February 23, 2012
- B. Call to Order: President Swartz called the meeting to order at 9:05 a.m.
- C. Invocation: Lord’s Prayer and prayers for our members who are fighting cancer.
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left at 3:13 p.m.)
Susan J. LaFerner, Secretary
Jerry Lee Curtis, Assistant Secretary (left 1:02 – 1:20 p.m.)
Toni J. Minton, Treasurer
Robert R.D. Curtis, Jr. (arrived at 9:07 a.m.)
Fred Dakota
Eddy Edwards (arrived at 9:08 a.m., left at 3:28 p.m.)
Jean Jokinen
Michael F. LaFerner, Sr.
Carole L. LaPointe
Elizabeth “Chiz” Matthews
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 23, 2012
- Additions: Old Business- 2. Mike LaFerner, Sr. – Baraga County Commission Letter
- Closed Session- 4. Carole LaPointe – b) Nurse Practitioner Resume Review

R.D. Curtis arrived at 9:07 a.m.

Eddy Edwards arrived at 9:08 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Robert R.D. Curtis, Jr., Eddy Edwards), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

G. For Your Information:

1. SNB KBIC Guaranteed Loan Program Account Summary February 15, 2012

H. Approval of Meeting Minutes:

1. June 2, 2011

MOTION MADE BY TONI J. MINTON TO APPROVE THE JUNE 2, 2011 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED – 0, FOUR ABSTAINING (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe), ABSENT - 0, MOTION CARRIED.

2. June 4, 2011

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JUNE 4, 2011 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED – 0, THREE ABSTAINING (Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe), ABSENT - 0, MOTION CARRIED.

I. Old Business:

1. Elizabeth Mayo – Ojibwa Housing Authority Financials Request

The Council has made numerous requests to receive the OHA financials, dating back to 2009. The Council would like to receive them monthly.

Eddy Edwards stated it is the Housing Board’s responsibility and they only have to provide an annual report.

Elizabeth Mayo pointed out a motion made by the Council to receive them monthly. Eddy will bring the financials on Monday.

MOTION MADE BY FRED DAKOTA TO ORDER A FORENSIC AUDIT ON OJIBWA HOUSING AUTHORITY AND ALL OF OHA’S PROGRAMS. SUPPORTED BY ELIZABETH D. MAYO.

EDDY EDWARDS MADE A FRIENDLY AMENDMENT TO ADD THE REVIEW OF OJIBWA COMMUNITY COLLEGE FINANCIALS.

MOTION MADE BY JEAN JOKINEN TO TABLE THE FORENSIC AUDIT UNTIL NEXT WEEK FOR THE AUDIT RESULTS AND OCC FINANCIALS. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Toni J. Minton, Fred Dakota), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

SUSAN J. LAFERNIER MADE A FRIENDLY AMENDMENT TO THE TABLE MOTION TO HEAR FROM THE OHA BOARD MEMBERS INCLUDING FRANCIS LAPOINTE, THE BOARD’S TREASURER.

2. Mike LaFernier, Sr. – Baraga County Board of Commissioner’s Letter regarding the Tribe’s contributions to Baraga County and 2%.

Mike would like to see the letter in local newspapers and radio. The Council consensus is to purchase full-page ads and airtime.

J. Closed Session:

1. Finance – Francis LaPointe, CFO
2. Ruth Keller, Healthy Start RN (not present)/Carole LaPointe, Health Administrator – Maternal Infant Health Program Care Coordination Agreement
3. Todd Warner, NRD (not present) –
 - a) USGS Stream Gauge Joint Funding Agreements (Revision #2)
 - b) Proposed Cultural Consultant Assistance Contract (reschedule)
4. Carole LaPointe, Health Administrator –
 - a) Dentist Job Description
 - b) Nurse Practitioner Resume Review
5. Larry Denomie III, CEO – Personnel Issue regarding Drug-Free Work Place Policy
6. John Baker, Attorney –
 - a) Jeff Lamson Liquor License Renewal for Cue Master
 - b) Jeff Lamson Business License Renewal for Cue Master

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 9:40 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), FIVE OPPOSED (Elizabeth D. Mayo, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 9:41 – 9:53 a.m.

Break: 11:13 – 11:23 a.m.

Lunch: 12:04 – 1:02 p.m.

Jerry Lee Curtis returned at 1:20 p.m.

Break: 2:49 – 2:59 p.m.

MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 3:00 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

(Elizabeth Mayo is out of the room)

Michigan Department of Community Health Maternal Infant Health Program Provider and Medicaid Health Plan Care Coordination Agreement – to help reduce maternal and infant mortality and morbidity.

MOTION MADE BY JEAN JOKINEN TO APPROVE THE MATERNAL INFANT HEALTH CARE PROGRAM COORDINATION AGREEMENT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis), MOTION CARRIED.

(Elizabeth Mayo and Jerry Lee Curtis are out of the room)

USGS Stream Gauge Joint Funding Agreements (Revision #2) –

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SECOND REVISIONS TO THE YELLOW DOG PLAINS STREAM GAUGES AND THE SILVER RIVER STREAM GAUGES FOR THE U.S. GEOLOGICAL SURVEY JOINT FUNDING AGREEMENTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE CULTURAL CONSULTANT AGREEMENT BETWEEN KBIC AND JOE DOWD FOR THE ANA WILDLIFE MANAGEMENT PLAN GRANT PROJECT.

This item was rescheduled. Eddy withdrew his motion.

Clinic Dentist Position Announcement –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE DRAWING A CONTRACT WITH DR. RON CARMODY TO PROVIDE DENTAL SERVICES. SUPPORTED BY JERRY LEE CURTIS. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Nurse Practitioner Resume Review -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE DRAWING A CONTRACT WITH KRISTINE NYQUIST, NURSE PRACTITIONER, TO PROVIDE SERVICES IN THE CLINIC. SUPPORTED BY JEAN JOKINEN. ALL IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Jeff Lamson Business License Renewal for Cue Master –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE JEFF LAMSON’S BUSINESS LICENSE RENEWAL FOR THE CUE MASTER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), ABSENT - 0, MOTION CARRIED.

Jeff Lamson Liquor License Renewal (On-Premise) for Cue Master -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE JEFF LAMSON’S LIQUOR LICENSE RENEWAL FOR THE CUE MASTER AND REQUIRE TAM CERTIFICATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Elizabeth D. Mayo, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr.), FIVE OPPOSED (Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Carole L. LaPointe, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Susan LaFernier stated her opposition: She would have liked to hold a hearing.

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO RAISE THE ALCOHOLIC BEVERAGES LICENSE FEES TO \$2,000.00 FOR EACH TYPE OF ALCOHOL TO BE SOLD EFFECTIVE TODAY. SUPPORTED BY CAROLE L. LAPOINTE. SIX IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe), FIVE OPPOSED (Elizabeth D. Mayo, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Elizabeth Mayo left at 3:13 p.m.

K. New Business:

1. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant Manager – DVR Equipment Purchase for Baraga Surveillance (3) Bids

MOTION MADE BY TONI J. MINTON TO APPROVE THE PURCHASE OF THE DVR EQUIPMENT FROM MIDSTATE IN THE AMOUNT OF \$10,055.40 FOR THE BARAGA SURVEILLANCE DEPARTMENT. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

2. Bruce LaPointe, Project Manager – Cigarette Manufacturing Equipment Bids (Hookup) – Total \$56,725.20 by Control Supply Company

MOTION MADE BY EDDY EDWARDS TO TABLE THE CIGARETTE MANUFACTURING EQUIPMENT PURCHASES UNTIL THE CORPORATION IS FORMED AND FUNDS CAN BE DRAWN FROM THE RURAL INNOVATION FUND GRANT AND HAVE THE CORPORATION CHOOSE THE EQUIPMENT. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

3. Sarah Maki, Assistant CEO – Resolution KB-1876-2012 BIA Forest Management Deduction 10% Account for FY2012 (from Timber Sales)

Eddy Edwards left at 3:28 p.m.

MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1876-2012 BIA FOREST MANAGEMENT DEDUCTION 10% ACCOUNT FOR FY2012. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Eddy Edwards), MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update
5. Toni Minton, Treasurer – Baraga Booster Club Donation Request for the Baraga Basketball Tournament 3-6th Grades February 24-26, 2012

MOTION MADE BY TONI J. MINTON TO APPROVE A DONATION TO THE BARAGA BOOSTER CLUB FOR HALF THE AMOUNT THAT WAS GIVEN LAST YEAR. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), TWO ABSENT (Elizabeth D. Mayo, Eddy Edwards), MOTION CARRIED.

6. President Swartz – Committee Selections

- a) ICWA (4) – Lisa Denomie, Ruth Keller, Wanda Seppanen will have 3-year terms and Jennifer Misegan 2-year term.
- b) Economic Development (1) – Jennifer Misegan to fulfill the vacancy expiring September 2012
- c) Council Reps for Economic Development (Mike LaFerner, Sr.) and Committee Alternative and Renewable Energy (CARE) (Susan LaFerner)

7. Susan LaFerner, Secretary – Snow Plowing Request (Off-Reservation)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE KATHY LANCZY’S SNOW PLOWING REQUEST DUE TO HER AGE AND DISABILITY STATUS. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Eddy Edwards), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO AJDOURN AT 4:05 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Eddy Edwards), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist