

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**TRIBAL CENTER CONFERENCE ROOM**  
**THURSDAY – JULY 26, 2012 – 9:00 A.M.**

- A. Date: July 26, 2012
- B. Call to Order: President Swartz called the meeting to order at 9:03 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Elizabeth D. Mayo, Vice President (left 9:25 – 9:52 a.m.)  
Susan J. LaFernier, Secretary  
Jerry Lee Curtis, Assistant Secretary (arrived at 9:43 a.m., left at 1:12 p.m.)  
Toni J. Minton, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota  
Jean Jokinen  
Michael F. LaFernier, Sr. (arrived at 9:12 a.m.)  
Carole L. LaPointe (arrived at 9:13 a.m.)  
Elizabeth “Chiz” Matthews
- Absent: Eddy Edwards
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 26, 2012
- Additions: FYI- 9. Great Lakes Indian Housing Association Meeting and Training for Tribal Council Governance/Housing Board Roles and Responsibilities August 28-89, 2012 Mt. Pleasant, MI  
10. Government Employee Picnic Flyer
- Closed Session- 3. Attorney Baker Investigation

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

**Mike LaFerner, Sr. arrived at 9:12 a.m.**

**Carole LaPointe arrived at 9:13 a.m.**

G. For Your Information:

1. A Memo from Christoph Geiger, Deputy Tribal Attorney – IRS Letter and Proposed Closing Agreement on Final Determinations Covering Specific Matters
2. VOIGT Intertribal Task Force Meeting Minutes June 6, 2012 Hayward, WI
3. U.S. Department of Interior Decision not to release 2010 Indian Population and Labor Force Report and a Draft Preliminary Revision of Survey
4. 19<sup>th</sup> Annual Great Lakes Native American Conference August 28-30, 2012 Wisconsin Dells
5. FY KBIC 2012 ICDBG Application Error/Fund Availability
6. May FY2012 Financial Report – Ojibwa Casino Resort I and II
7. An Invite to the “Upper Peninsula Michigan Tribes Family Asset Building Convening” on August 1, 2012 at Kewadin Casino
8. Susan LaFerner, Secretary – Review for 3<sup>rd</sup> Reading of Proposed Corporation Code Title 27 Chapter B 2012-01 Amendments
9. Great Lakes Indian Housing Association Meeting and Training for Tribal Council Governance/Housing Board Roles and Responsibilities August 28-29, 2012 Mt. Pleasant, MI
10. Government Employee Picnic Flyer – L’Anse Golf Course August 3<sup>rd</sup>

H. New Business:

1. Gregg Nominelli, Economic Developer – Charles S. Miller - Consultant Agreement for Video Presentation on the Strategic Plan and Powwow

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE CONSULTANT SERVICES AGREEMENT WITH CHARLES S. MILLER FOR A VIDEO PRESENTATION IN THE AMOUNT OF \$4,500.00. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, 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 (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

The Council consensus is to allow Gregg Nominelli to draft a new contract for Charles Miller with correct wording and authorize the President to sign.

2. David Haataja, Casinos General Manager/Dale Shalifoe, Baraga Casino Assistant General Manager/Jacki Skytta, Casino Marketing Manager – SquidWheelies LLC Services Agreement for entertainment at the InKrun Event August 11, 2012 at the Bingo Hall

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE ENTERTAINMENT AGREEMENT WITH SQUIDWHEELIES LLC AND AUTHORIZE THE PRESIDENT TO SIGN. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, 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 (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

3. Susan LaFernier, Secretary – Schedule Government Employee Grievance Hearing Case #009-12

The grievance is scheduled for August 9, 2012 at 10:00 a.m.

I. Closed Session:

1. Gaming Commissioner Interviews (3)
2. Aanikoosing, Inc. Board of Directors Interviews (13)
3. Attorney Baker Investigation

**MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 9:24 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

Elizabeth Mayo left 9:25 – 9:52 a.m.

Jerry Lee Curtis arrived at 9:43 a.m.

Break: 9:45 – 9:59 a.m.

Lunch: 12:10 – 1:03 p.m.

Jerry Lee Curtis left at 1:12 p.m.

Break: 1:49 – 2:01 p.m.

Break: 2:46 – 2:57 p.m.

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 4:02 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, 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 (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

KBIC Gaming Commissioner Position –

**MOTION MADE BY SUSAN J. LAFERNIER TO APPOINT MICHAEL DUSCHENE TO THE KBIC GAMING COMMISSION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, 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 (Elizabeth D. Mayo), TWO ABSENT (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

Aanikoosing, Inc. Board of Directors -

**MOTION MADE BY ELIZABETH D. MAYO TO APPOINT ANTHONY RABITAILLE, ROY KOSKI, ANDREW CHOSA, AND PAUL STARK AS AN ALTERNATE TO THE AANIKOOSING, INC. BOARD OF DIRECTORS. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, 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 (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

Attorney Baker Investigation – (motion from the July 19, 2012 meeting)

**MOTION MADE BY CAROLE L. LAPOINTE TO RECONSIDER THE MOTION TO FILE A REQUEST TO THE STATE BAR FOR AN INVESTIGATION ON JOHN BAKER AFTER REVIEWING THE INFORMATION. SUPPORTED BY JEAN JOKINEN. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Fred Dakota), TWO ABSENT (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

Motion from 7/19/12:

Eddy Edwards – Request for Investigation of Tribal Attorney John Baker

*MOTION MADE BY JEAN JOKINEN TO FILE A REQUEST FOR AN INVESTIGATION OF FORMER TRIBAL ATTORNEY JOHN BAKER (WITH THE MICHIGAN ATTORNEY GRIEVANCE COMMISSION) AND HAVE THE PRESIDENT SIGN THE REQUEST. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (Elizabeth D. Mayo, Fred Dakota, Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.*

Reconsider motion from 7/19/12:

**MOTION MADE BY JEAN JOKINEN TO FILE A REQUEST FOR AN INVESTIGATION OF FORMER TRIBAL ATTORNEY JOHN BAKER (WITH THE MICHIGAN ATTORNEY GRIEVANCE COMMISSION) AND HAVE THE PRESIDENT SIGN THE REQUEST. SUPPORTED BY FRED DAKOTA. IN FAVOR - 0, SEVEN OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO ABSTAINING (Robert R.D. Curtis, Jr., Fred Dakota), TWO ABSENT (Jerry Lee Curtis, Eddy Edwards), MOTION DEFEATED.**

J. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:10 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, 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 (Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist