

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**TRIBAL CENTER CONFERENCE ROOM**  
**THURSDAY – AUGUST 4, 2011 – 9:00 A.M.**

- A. Date: August 4, 2011
- B. Call to Order: Vice President Emery called the meeting to order at 9:15 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 (arrived at 9:30 a.m.)  
Eddy Edwards, Treasurer  
Jerry Lee Curtis  
Fred Dakota  
Michael F. LaFERNIER, Sr.  
Gary F. Loonsfoot, Sr. (left 12:13 – 1:25 p.m.)  
Elizabeth “Chiz” Matthews (arrived at 9:20 a.m.)  
Elizabeth D. Mayo (left at 1:30 p.m.)  
Isabelle Helene Welsh (arrived at 9:33 a.m.)  
Absent: Warren C. Swartz, Jr., President
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: August 4, 2011

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), MOTION CARRIED.**

G. For Your Information:

1. Calumet Heritage Celebration 2011 “Honors the Ojibwa” Schedule of Events – August 15-20, 2011

H. Approval of Meeting Minutes:

1. January 27, 2011

**Elizabeth Matthews arrived at 9:20 a.m.**

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE JANUARY 27, 2011 MEETING MINUTES. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFerner, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Elizabeth "Chiz" Matthews), THREE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.**

2. January 28, 2011 – Eddy Edwards asked if the number of tribal members includes descendants in the Ethnic Statistics Report of the Tribal Government employees from Pauline Spruce (Personnel Department).

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE JANUARY 28, 2011 MEETING MINUTES WITH ONE POTENTIAL CORRECTION. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Susan J. LaFerner, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.**

**Toni Minton arrived at 9:30 a.m.**

**Isabelle Welsh arrived at 9:33 a.m.**

I. Old Business:

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

**MOTION MADE BY EDDY EDWARDS TO TABLE THE YOUTH TRIP POLICY FOR ONE WEEK WHEN CHERYNE CLEMENTS IS PRESENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

[New Business]

1. Sarah Maki, Assistant CEO – Tribal Historic Preservation Office (THPO) Director Position  
Description (Job Posting) Review

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE THPO DIRECTOR JOB DESCRIPTION AND TAKE OUT THE UNRESTRICTED REGARDING THE DRIVERS LICENSE. (Motion died for lack of support)**

**MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE THPO DIRECTOR JOB DESCRIPTION UNTIL FURTHER REVIEW REGARDING THE SUPERVISORY CONTROL AND CLARIFICATION ON QUALIFIED VETERAN. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

J. Recognize Scheduled Delegation/Individuals:

1. KBIC Summer Youth Conservation Corp 2011 Crew Presentation on the work they did during the Summer – Superior Watershed Partnership/Geraldine Grant, Conservation Crew Program Coordinator/Joy Hadley, Crew Leader/Gene Bertram, Crew Leader and 12 Youth Workers

**Break: 10:38 – 10:52 a.m.**

[Old Business]

2. Dotti Pryor, Pressbox Manager – Pressbox Ceiling Tile Bids (2)

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE OJIBWA BUILDERS BID IN THE AMOUNT OF \$20,511.00 WHICH INCLUDES THE CEILING HEAT DIFFUSERS AND THE CEILING TILE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

3. Bruce LaPointe, Project Manager/Larry Denomie III, CEO/Sarah Maki, Assistant CEO – Weatherization Policy Amendment on Eligibility/Update

Larry Denomie explained there are two pools that fund the over income category which are Tribal Funds and Department of Energy (D.O.E.). The Council asked how the applicant’s eligibility was determined and Larry stated that the information provided on the applications is taken as truthful and not investigated.

Bruce LaPointe presented new policies and explained how the point system will be calculated.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE KBIC TRIBAL WEATHERIZATION PROGRAM POLICY GUIDELINES FOR LIHEAP, REACH, DEPARTMENT OF ENERGY, AND TRIBAL FUNDS AS PRESENTED. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

**Lunch: 12:13 – 1:06 p.m.**

**Gary Loonsfoot, Sr. left at 12:13 p.m.**

K. New Business:

2. Jason Ayres, Realty Officer - Cancellation of Kyle Stein Residential Lease located on Marksman Road in (Zeba) L'Anse

Mr. Stein's residential lease was granted on November 17, 2008 and no attempts have been made to place a residential structure on the property. Mr. Stein has used the land to discard and burn trash, refuse, debris, and scrap metal. Jason explained that he has been given notices to clean the leased land assigned to him. He had a deadline of July 15 to clean the area. Jason produced pictures taken at 12:10 p.m. today showing the area has not been taken care of and mounds of waste cover the premises. Jason also gave Mr. Stein the opportunity to present himself today before the Council to plead his case. Mr. Stein was not present.

Isabelle Welsh would like to give Mr. Stein a few more days notice before cancelling his lease.

**MOTION MADE BY ELIZABETH D. MAYO TO CANCEL KYLE STEIN'S RESIDENTIAL LEASE ON AUGUST 8, 2011 DUE TO THE DUMPING ON THE PROPERTY AND IF THE TRIBE HAS TO DO THE CLEANUP HE WILL PAY FOR IT. SUPPORTED BY ISABELLE H. WELSH. SIX IN FAVOR (Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), THREE OPPOSED (Susan J. LaFERNIER, Toni J. Minton, Jerry Lee Curtis), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Jerry Lee Curtis stated his opposition: He feels Mr. Stein should not be given any further notice before cancelling the lease and should be evicted immediately. He has had two prior deadlines.

Susan LaFERNIER and Toni Minton concur.

L. Closed Session:

1. John Baker, Attorney
2. Gregg Nominelli, Economic Developer
3. Bruce LaPointe, Project Manager – Personnel Issue
4. Carole LaPointe, Health Director – BC/BS Pharmacy Participation Agreement
5. Larry Denomie III, CEO – Director of Natural Resources Reclassification

**MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION AT 1:17 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth "Chiz" Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Gary Loonsfoot, Sr. returned at 1:25 p.m.

Elizabeth Mayo left at 1:30 p.m.

Break: 2:30 – 2:40 p.m.

**MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 3:20 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

R. Lance Boldrey, Attorney with DyKema

**MOTION MADE BY EDDY EDWARDS TO ENGAGE ATTORNEY R. LANCE BOLDREY FOR LOBBYING EFFORTS IN LANSING FOR OUR TWO-PART APPLICATION. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Susan J. LaFerner), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

BC/BS Traditional Rx Pharmacy Participation Agreement –

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE PARTICIPATION AGREEMENT BETWEEN KBIC AND BC/BS. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

Natural Resources Director Reclassification –

**MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE RECLASSIFICATION OF THE NATURAL RESOURCES DIRECTOR AT \$26.01. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

Tribal Historic Preservation Office (THPO) Job Description -

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE THPO JOB DESCRIPTION DELETING THE “LANGUAGE DUTIES AND RESPONSIBILITIES” AT THE END OF THE DESCRIPTION AND LEAVE THE SUPERVISOR AS THE CEO AND POST. SUPPORTED BY ISABELLE H. WELSH. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

M. Adjournment:

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 3:24 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist