

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
FRIDAY – NOVEMBER 19, 2010 – 9:00 A.M.**

- A. Date: November 19, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:18 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary (left at 11:30 a.m.)
Eddy Edwards, Treasurer
Jerry Lee Curtis (arrived at 10:10 a.m., left 10:49 a.m. – 1:45 p.m.)
Fred Dakota (left at 2:01 p.m.)
Gary F. Loonsfoot, Sr. (left 10:49 a.m. – 1:35 p.m.)
Elizabeth D. Mayo (left at 10:49 a.m.)
Toni J. Minton
Isabelle Helene Welsh (left at 12:05 p.m.)
- Absent: Michael F. LaFernier, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 19, 2010
- Move: Closed Session 4. to New Business 1. Steven Denomie - Enterprise Ban Issue
New Business 1. to Old Business 2. Eddy Edwards, Treasurer – 2% Requests

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

G. Old Business:

1. President Swartz – Hiring Committee – 2 Vacancies

The Committee currently has (5) members. President Swartz read letters from Michelle St. George and Patricia Gerard, former members of the Hiring Committee.

The Council discussed issues regarding the hiring process and recommendations given by Department Heads.

2. Eddy Edwards, Treasurer – 2% Requests – President Swartz will send a letter to Joseph O’Leary regarding the Baraga County requests.

Jerry Lee Curtis arrived at 10:10 a.m.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE MARQUETTE 2% PAYMENT AS PRESENTED. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.

Break: 10:25 – 10:35 a.m.

2% Resolution KB-1790-2010 – Marquette

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1790-2010 MARQUETTE 2%. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.

2% Resolution KB-1791-2010 – Baraga

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1791-2010 BARAGA 2%. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Eddy Edwards, Gary F. Loonsfoot, Sr.), ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.

H. New Business:

1. Steven Denomie/Lauri Denomie – Enterprise Ban Issue

The Council agreed to lift Steven’s ban for life from the Ojibwa Casino, effective November 23, 2010. President Swartz will send a letter to notify the Casino.

I. Closed Session:

1. Amy St. Arnold/Gail Juntunen – Lynn Ketola Professional Services Agreement
2. John Baker, Attorney
3. Gregg Nominelli, Economic Developer – energy.3 Services Agreement

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 10:48 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.

Elizabeth Mayo left at 10:49 a.m.

Jerry Lee Curtis left at 10:49 a.m.

Gary Loonsfoot, Sr. left at 10:49 a.m.

Elizabeth Matthews left at 11:30 a.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 12:02 P.M. SUPPORTED BY EDDY EDWARDS. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Eddy Edwards, Fred Dakota, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Lynn Ketola Professional Services Agreement – Evaluation Services to the Even Start Family Literacy Program October 2010 – September 2011

MOTION MADE BY WILLIAM E. EMERY TO APPROVE LYNN KETOLA’S PROFESSIONAL SERVICES AGREEMENT. SUPPORTED BY SUSAN J. LAFERNIER. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Eddy Edwards, Fred Dakota, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Mayberry Water & Power Company energy.3 Services Agreement – to provide services related to energy sufficiency (audit)

MOTION MADE BY FRED DAKOTA TO APPROVE THE ENERGY.3 SERVICES AGREEMENT. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Fred Dakota, Toni J. Minton), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), FIVE ABSENT (Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Easement and Agreement between KBIC and O’Dovero Properties at 100 Airport Road, Negaunee, MI

MOTION MADE BY EDDY EDWARDS TO APPROVE THE EASEMENT AND AGREEMENT BETWEEN KBIC AND O’DOVERO PROPERTIES. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Fred Dakota, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Boundary Line Agreement between KBIC and O’Dovero Properties at 100 Airport Road, Negaunee, MI

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BOUNDARY LINE AGREEMENT BETWEEN KBIC AND ODEVERO PROPERTIES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Fred Dakota, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Lunch: 12:05 – 1:12 p.m.

Isabelle Welsh left at 12:05 p.m.

Gary Loonsfoot, Sr. returned at 1:35 p.m.

Jerry Lee Curtis returned at 1:45 p.m.

[Old Business]

3. Proposed Business Corporation Code 2010-06 Work Session

John Baker/Paul DesRochers, Jr./Gregg Nominelli/Larry Denomie III/Janice Halverson present

The Economic Development Committee supports the adoption of the KBIC Corporate Code and the adoption of a Limited Liability Code in the near future.

Fred Dakota left at 2:01 p.m.

The 3rd Reading for the Business Corporation Code 2010-06 was scheduled for December 4, 2010.

J. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 3:10 P.M. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFernier, William E. Emery, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Elizabeth “Chiz” Matthews, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton (for Janice Halverson)
Administrative Specialist