

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JUNE 2, 2011 – 9:00 A.M.**

- A. Date: June 2, 2011
- B. Call to Order: Vice President Emery called the meeting to order at 9:08 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
Eddy Edwards, Treasurer (arrived at 9:15 a.m.)
Fred Dakota
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr. (left at 2:40 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 9:33 a.m.)
Absent: Warren C. Swartz, Jr., President
Jerry Lee Curtis
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 2, 2011
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| Deletion: | Closed Session- | 2. John Baker, Attorney |
| Addition: | Closed Session- | Christoph Geiger, Deputy
Tribal Attorney to 3., 4., 5. |

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

G. For Your Information:

1. An Invite to “*Waterways, Wetlands, and You!*” from the U.S. Army Corps of Engineers’ Regulatory Program in Marquette on June 9, 2011
2. Press Box Bar & Grill Food Service Survey Report – May 2, 2011
3. Big Bucks Bingo Hall Food Safety Survey Report – May 2, 2011
4. Ojibwa Casino Bar Food Safety Survey Report – May 2, 2011
5. VOIGT Intertribal Task Force Request for Information and Solicitation of Comments and consultation on Proposed Actions by the Wisconsin Department of Natural Resources regarding exploratory drilling
6. Draft IDA (Individual Development Account) Policy for Braces

Eddy Edwards arrived at 9:15 a.m.

H. Old Business:

1. Bruce LaPointe, Projects Manager –

Isabelle Welsh arrived at 9:33 a.m.

- a) Relocation of Public Works Offices to the Industrial Park Building

MOTION MADE BY ELIZABETH D. MAYO TO MOVE GREGG NOMINELLI AND HIS SECRETARY TO THE PLANNING AND DEVELOPMENT CENTER. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

- b) MicroMain Corporation Maintenance Management Quote for asset and facility management software for the Public Works Department

MOTION MADE BY EDDY EDWARDS TO PURCHASE THE MICROMAIN CORPORATION MAINTENANCE MANAGEMENT SOFTWARE IN THE AMOUNT OF \$9,519.00 TO BE TAKEN FROM THE FUNDS MADE AT THE AUCTION. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

- c) Parks & Recreation Riding Lawn Mower Bids (3) The recommendation was for a 72” cut Gravely from Countryside Farm & Garden

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BID FROM COUNTRYSIDE FARM AND GARDEN FOR THE RIDING MOWER IN THE AMOUNT OF \$10,900.00. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Michael F. LaFerner, Sr.), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

Mike LaFerner, Sr. stated his opposition: He is opposed because he said they already went down to pick up a mower in Niagara.

2. Mike Cardinal, Constitution Committee Chair – Resolution KB-1836-2011 Secretarial Election Amendment to Constitution Article VIII Section 1

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1836-2011 SECRETARIAL ELECTION AMENDMENT TO THE CONSTITUTION. SUPPORTED BY GARY F. LOONSFOOT, SR. THREE IN FAVOR (Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr.), SIX OPPOSED (Susan J. LaFerner, Toni J. Minton, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION DEFEATED.

3. Eddy Edwards, Treasurer – U.P. Children's Museum 2% Method for Distribution of 160 Annual Family Memberships.

The Council consensus is to put an article in the newsletter and have Ashtin Koski disperse them out of the Licensing Office.

I. New Business:

1. Kathy Mayo, Community Health Director - Native American Adult Tobacco Survey/Data Sharing

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE IMPLEMENTATION OF THE NATIVE AMERICAN ADULT TOBACCO SURVEY. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

Break: 10:35 – 10:48 a.m.

2. Jason Ayres, Realty Officer –

- a) Resolution KB-1832-2011 Fred Rollins Acquisition and Purchase Agreement 13.9 acres/8.24 acres for \$525,000.00

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1832-2011 ROLLINS ACQUISITION TO PURCHASE THE LAND ON HURON BAY. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

- b) Resolution KB-1835-2011 Diana L. Shannon Chaudier and Jason R. Chaudier Residential Lease (cancels Janet M. Walker Lease)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1835-2011 DIANA L. CHAUDIER RESIDENTIAL LEASE. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

3. Cheryne Clements, Youth/Fitness Programs Director –In-House Promotions (2) from On-Call to Part-Time

The Council consensus is to post the positions.

Eddy Edwards announced that he has issues to discuss with the Youth Director regarding an incident that happened with the Rez Runners team trip to Mt. Pleasant that is being investigated by the FBI.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:03 A.M. 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), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 11:20 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

4. Jim Stingle, Grant Writer – Resolution KB-1834-2011 ICDBG Zeba Community Center Project Application for \$600,000.00. A Public Meeting was held at the Zeba United Methodist Church June 1, 2011.

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1834-2011 ICDBG ZEBBA COMMUNITY CENTER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Susan J. LaFernier, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO AUTHORIZE JIM STINGLE TO HIRE GEOFF BOWMAN ARCHITECTS, P.C. OUT OF THE GRANTS DEPARTMENT BUDGET TO DO THE SCHEMATIC DESIGN OF THE PROJECT FOR \$1,200.00. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Susan J. LaFernier, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

5. Jean Jokinen, Grant Writer – Letter of Intent for the Upper Peninsula Area Agency on Aging

Jean is submitting a grant to hire a homemaker aid to do home care, chore assistance, transportation, and other selected areas for our Seniors.

MOTION MADE BY FRED DAKOTA TO APPROVE A LETTER OF INTENT TO THE UPPER PENINSULA AREA AGENCY ON AGING TO APPLY FOR THE FUNDING FOR SERVICES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

J. Closed Session:

1. Susan LaFernier, Secretary – Personnel Issue
2. Christoph Geiger, Deputy Tribal Attorney/Laura Cladas, WIC Coordinator (not present) – Hannahville Dietician Contract
3. Christoph Geiger, Deputy Tribal Attorney/Judy Heath, Social Services Director (not present) - Information Technician Consultant Agreement
4. Christoph Geiger, Deputy Tribal Attorney/Ed Janisse, Eagle Radio General Manager (not present) - Dick Storm Employment Agreement

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:45 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

Lunch: 11:59 a.m. – 1:13 p.m.

Gary F. Loonsfoot, Sr. left at 2:40 p.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 2:58 P.M. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Break: 2:59 – 3:08 p.m.

Hannahville Dietician Contract -

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE AGREEMENT BETWEEN HANNAHVILLE AND KBIC FOR THE WIC DIETICIAN SERVICES EFFECTIVE JULY 1, 2011. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Transfer Weatherization Program under the Public Works Department -

MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE WEATHERIZATION COORDINATOR UNDER THE PUBLIC WORKS DEPARTMENT. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Norman Parks Consultant Agreement – to provide information technology services to the KBIC Social Services Department

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE CONSULTANT AGREEMENT WITH NORMAN PARKS FOR THE SOCIAL SERVICES DEPARTMENT EFFECTIVE APRIL 1, 2011. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Dick Storm Employment Agreement – July 1, 2011

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE EMPLOYMENT AGREEMENT PUBLIC AFFAIRS DIRECTOR OF EAGLE RADIO FOR DICK STORM. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 3:10 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist