

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MAY 26, 2011 – 9:00 A.M.**

- A. Date: May 26, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer and an Ojibwe Prayer by Dale Shalifoe
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFerner, Secretary
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis
Fred Dakota
Michael F. LaFerner, Sr. (arrived at 9:13 a.m.)
Gary F. Loonsfoot, Sr. (arrived at 11:28 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
- Absent: Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 26, 2011
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| Additions: | FYI- | 5. Home Territory Map |
| | Old Business- | 6. Memorial Day Feast at the Pinery Cemetery |
| | New Business- | 2. Fred Dakota – Cigarette Machine Update |
| | | 2. David Haataja, Marquette Casino General
Manager – b) Bridge Card Use at Casino ATM’s |

Mike LaFerner, Sr. arrived at 9:13 a.m.

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| Deletion:
Move: | Closed Session-
Closed Session- | 3. Jerry Lee Curtis – b) Charles Loonsfoot, Jr.
Median Travel Donation Request
5. President Swartz – a) American Legion Post
#444 Request
b) Update on Tribal Member Donation Request
c) NCAI Donation Request of \$2500
6. Toni Minton – Community Tent Request
3. Tyler Larson, Weed & Seed Coordinator
1. & 4. to New Business 7. & 8. |
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MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Mike LaFernier, Sr. stated his opposition: He feels these additional items should have been added to the agenda beforehand.

G. For Your Information:

1. An Invite from the Red Cliff Tribal Council and the Buffalo Families on a Presentation of a Pipe for the Community on May 28th at 11:00 a.m. (President Swartz will be attending)
2. Notice of Retirement from Philomena Ekdahl, Director of Ojibwa Seniors (Elderly Nutrition)
3. An Invite to the Marquette Regional History Center on June 9th from 7:00-9:00 p.m. Donor Recognition Open House
4. Relocation of the U.S. Fish and Wildlife Service Office Migratory Bird Permit Office
5. Home Territory Map – Proposed Addition 2011 from Fort Snelling to Bloomington, MN
6. Memorial Day Feast at the Pinery Cemetery after the Veteran’s Service

H. Approval of Meeting Minutes:

1. October 18, 2010

MOTION MADE BY FRED DAKOTA TO APPROVE THE OCTOBER 18, 2010 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

I. Old Business:

1. Bruce LaPointe, Projects Manager – Baraga Village Water Intake MOA Authorization

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE MOA FOR THE BARAGA VILLAGE WATER INTAKE PROJECT. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. Fred Dakota – Cigarette Rolling Machine Update. He visited the shop with this machine in Escanaba. Anyone can purchase these machines and pay the tax to the State. He will continue to look into this venture.

J. New Business:

1. Jason Ayres, Realty Officer –
 - a) Resolution KB-1830-2011 Cancels a residential lease for Daniel L. Koski, Cherie Koski, and Rhea L. Koski and grants separate residential leases for Daniel L. Koski, Cherie Koski, and Rhea L. Koski

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1830-2011 DANIEL L. KOSKI, CHERIE KOSKI, AND RHEA L. KOSKI RESIDENTIAL LEASE MODIFICATION. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

- b) Resolution KB-1831-2011 Cancels previous residential lease to Patricia L. Maki (deceased) and issues to Heather L. Maki Residential Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1831-2011 HEATHER L. MAKI RESIDENTIAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

K. Recognize Scheduled Delegation/Individuals:

1. Charles Brumleve, Mining Specialist – Yellow Dog Water Sampling PowerPoint Presentation/Budget Request

The Council consensus is to allow \$12,000.00 for quarterly mercury/other samples from the springs of the Yellow Dog Plains to be paid out of the Mining Budget.

[New Business]

2. David Haataja, Marquette Casino General Manager –

- a) Marquette Casino 16x32 Addition Bids (3) - Casino Maintenance will lay the foundation

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE MGD CUSTOM BUILDERS, LLC FOR THE MARQUETTE CASINO ADDITION FOR A STORAGE ROOM IN THE AMOUNT OF \$14,450.00. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

(David Haataja was instructed to comply with the building codes and to contact Joe Brazeau)

- b) (EBT) Bridge Card Use at Casino ATM’s – The State of Michigan is requesting the Tribe’s assistance on the improper use of Bridge Cards. They would like to prohibit the use of the cards at the casino ATM’s to withdraw cash. This was requested from all the casinos in Michigan. The Council decided not to take action on the request.

Break: 10:44 – 10:55 a.m.

3. Jerry Lee Curtis, New Day Director –

- a) CARF Re Surveys Renewal Fee \$5,800.00 – The survey is to renew 3-year accreditation certification for New Day Treatment Center

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

- b) Charles Loonsfoot, Jr. Medical Travel Donation Request – Abbott Northwestern Hospital, Minneapolis, MN

MOTION MADE BY WILLIAM E. EMERY TO APPROVE \$2,000.00. SUPPORTED BY FRED DAKOTA.

The motion was withdrawn.

MOTION MADE BY EDDY EDWARDS TO APPROVE CHARLES LOONSFOOT, JR. UP TO \$2,400.00 FOR MEDICAL TRAVEL FROM THE COMMUNITY NEEDS ASSISTANCE PROGRAM. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Jerry Lee Curtis stated that an engineer sent by Clayton Ekdahl/Bruce LaPointe produced drawings for the New Day sweat lodge/longhouse and he questioned why. It has been one year since they started.

President Swartz asked Council if there is a consensus for New Day to build a longhouse for traditional and cultural purposes.

Elizabeth Mayo suggested asking Bruce why they need drawings. (Building code is the issue).

The consensus is to go forward with building the sweat lodge/longhouse and President Swartz will instruct Bruce to get it done.

4. John Baker, Attorney (not present) –

- a) Business License Renewal Application for John E. Varline, Jr. – JJ’s Pawn Shop
- b) Fireworks Permit Renewal Application for 3 months James Welsh – Jim’s Fireworks

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BUSINESS LICENSE RENEWALS FOR JJ’S PAWN SHOP AND JIM’S FIREWORKS. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

5. President Swartz –

- a) American Legion Post #444 Request for the use of the Tribe’s bus – The Tribal President will approve the request and check on the insurance.
- b) Update on Tribal Member Donation Request – Patricia Herron requested \$1,500.00 for a trap under her bathtub and it was denied because she used all of her funds prior.
- c) NCAI Mid-Year Conference Donation Request from Matthew Wesaw, Chairman Pokagon Band of Potawatomi Indians of \$2500 for welcoming and cultural events. The conference is in Milwaukee, WI June 13-16.

Gary Loonsfoot, Sr. arrived at 11:28 a.m.

MOTION MADE BY FRED DAKOTA TO DENY THE NCAI CONFERENCE DONATION REQUEST. SUPPORTED BY ELIZABETH D. MAYO. SIX IN FAVOR (William E. Emery, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), THREE OPPOSED (Susan J. LaFernier, Toni J. Minton, Elizabeth “Chiz” Matthews), ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

6. Toni Minton – 20x40 Community Tent Request (2) which cost approximately \$1,000.00 each

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE PURCHASE OF TWO COMMUNITY TENTS. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), TWO OPPOSED (Eddy Edwards, Gary F. Loonsfoot, Sr.), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

7. Jacki Skytta, Casinos Marketing Manager – Tent Rental Contracts with J.K. Rentals, Inc. (2) for the August/September events. Total: \$36,200.60

MOTION MADE BY FRED DAKOTA TO APPROVE THE J.K. RENTALS CONTRACTS FOR THE TENT RENTALS. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

8. Todd Warner, NRD – Northwest Wisconsin Regional Planning Commission (NWRPC) MOA for Collection and disposal of Household Hazardous Waste and Used Electronics - June 4th

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE MOA WITH NORTHWEST WISCONSIN REGIONAL PLANNING COMMISSION FOR THE COLLECTION OF HOUSEHOLD WASTE AND USED ELECTRONICS. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (William E. Emery, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

L. Closed Session:

1. John Baker, Attorney (no report)
2. President Swartz – Tribal Attorney Employment Contract

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:53 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (William E. Emery, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), MOTION CARRIED.

(William Emery and Elizabeth Matthews are out of the room)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:05 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

Tribal Attorney Employment Contract –

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE TRIBAL ATTORNEY EMPLOYMENT CONTRACT AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), FOUR OPPOSED (Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 12:10 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist