

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JUNE 3, 2010 – 9:00 A.M.**

- A. Date: June 3, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:13 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
Eddy Edwards, Treasurer
Jerry Lee Curtis
Fred Dakota
Gary F. Loonsfoot, Sr.
Elizabeth D. Mayo
Toni J. Minton
Isabelle Helene Welsh (arrived at 11:06 a.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: June 3, 2010

Addition: FYI- 3. GreenSand Site Tour in Gay, MI

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

G. For Your Information:

1. An Invite to All Local Veterans Organizations from Veterans of Foreign Wars CLK Post 3900 Calumet, MI - Dan Caron 15th District Commander Elect for the Burial of Remains of Gerald G. Lehman, on June 12, 2010 in Houghton, Killed in Action in Pearl Harbor December 7, 1941
2. Eddy Edwards – Proposed Ordinance 2010-06 Business Corporate Code
3. GreenSand Site Tour in Gay, MI, June 4, 2010

H. Approval of Meeting Minutes:

1. February 6, 2010

MOTION MADE BY TONI J. MINTON TO APPROVE THE FEBRUARY 6, 2010 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), TWO ABSENT (Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. February 11, 2010

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FEBRUARY 11, 2010 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), TWO ABSENT (Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

I. Old Business:

1. Bruce LaPointe, Project Manager - Police Department Partial Roof Replacement – additional costs for replacing fascia and additional insulation

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE TWO CHANGE ORDERS IN THE AMOUNT OF \$2,410.84. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. Larry Denomie III, CEO –

- a) Wage Task Force/Merit Wage System – Larry reviewed the current method used in determining a wage for specific positions. (4) options were presented and the consensus was to remove the merit/performance based pay plan from the policy as there is already a reclassification policy and to have the task force develop a bonus/commission based pay plan for revenue generating employees, the longevity based pay plan, and the education/skills based pay plan.

Break: 10:13 – 10:30 a.m.

- b) Update on HS/EHS Transfer of funding from ITC to KBIC – Terri Denomie/Sarah Smith present

A letter will be drafted to ITC to raise the Council’s concerns and Council will need to make a decision in the next few weeks if the Tribe will continue with relinquishment from ITC.

3. Todd Warner, NRD –

- a) Name Selection for the 8th Annual Kid’s Fishing Derby 2010 – By Council consensus it will be named after Jim Emery, Sr. and Ed Holzman for 2010.

Isabelle Welsh arrived at 11:07 a.m.

- b) James Bess, School of Forest Resources and Environmental Science, MTU. A Proposal to Restore Native Wetland Vegetation at Sand Point Pond

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NATIVE WETLAND VEGETATION SAND POINT POND RESTORATION PROJECT. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

J. New Business:

1. Todd Warner, NRD –

- a) Mike LaPointe, USDA Area Conservationist (Marquette) – FYI: NRCS Fish Passage Aquatic Habitat Restoration Project Funding 2010 for \$500,000 from the Great Lakes Restoration Initiative for KBIC’s (8) road crossings

- b) Hatchery Transfer Switch Replacement Bids

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BID FROM CUMMINS NPOWER LLC IN THE AMOUNT OF \$5,700.00 FOR THE REPLACEMENT TRANSFER SWITCH AT THE HATCHERY FOR THE BACKUP GENERATOR. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

c) Sand Point Additional Cover Plan Review

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE SAND POINT ADDITIONAL COVER PLAN PENDING REVIEW BY THE TRIBAL HISTORIC PRESERVATION OFFICE. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

2. Will Wiggins, Fuels Specialist/FMO, BIA Fire Management – Resolution KB-1759-2010 Sand Point Prescribed Burn for Fall of 2010

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1759-2010 SAND POINT PRESCRIBED BURN. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

3. Jason Ayres, Realty Officer (not present) - Resolution KB-1757-2010 Sally Michaelson Residential Lease – This will cancel her Recreational Lease from 2007 on Beartown Road

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1757-2010 SALLY MICHAELSON RESIDENTIAL LEASE. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

4. Larry Denomie III/Chiz Matthews – Annual Government Employee Picnic August 6th

A survey is being taken with employees for a picnic location. The employees will be permitted to buy their own drinks.

5. Lynn Haataja, Interim Baraga Casino General Manager – Air Conditioner Bids for the “Thirty” Room

MOTION MADE BY FRED DAKOTA TO APPROVE THE REPLACEMENT COST OF THE OJIBWA CASINO HVAC ROOFTOP UNITS (2) IN THE AMOUNT OF \$22,700.00. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

K. Closed Session:

1. Carole LaPointe, Health Director – 2010/2011 WIC Dietician Contract/Agreement with the Hannahville Indian Community
2. Tom Chosa, I.T. – Rite Track Tribal Information System
3. John Baker, Attorney
4. Dale Shalifoe, Executive Director Gaming Commission/David Rantanen – Action #038-2010 Baraga Lumberjack Days Committee Social Gaming License Request

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:55 A.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

Lunch: 11:56 a.m. – 1:10 p.m.

Eddy Edwards returned from lunch at 1:19 p.m.

Gary Loonsfoot, Sr. returned from lunch at 1:33 p.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 1:40 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

Break: 1:41 – 1:50 p.m.

2010/2011 WIC Dietician Contract/Agreement with the Hannahville Indian Community – July 1, 2010 – June 30, 2011

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE 2010-2011 DIETICIAN WIC CONTRACT WITH THE HANNAHVILLE INDIAN COMMUNITY WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Rite Track Tribal Information System–

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE ORDER QUOTE FOR RITE TRACK SOFTWARE LICENSE AGREEMENT, THE ADDENDUM TO RITE TRACK SOFTWARE LICENSE AGREEMENT AND THE ORDER QUOTE, THE CONSULTANT AGREEMENT AND THE ADDENDUM TO THE CONSULTANT AGREEMENT AND THE SOFTWARE MAINTENANCE AGREEMENT WITH HANDEL INFORMATION TECHNOLOGIES, INC. AND KBIC FOR COMPUTER CONSULTING SERVICES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Feasibility Study with Gaming Market Advisors – (3 potential properties)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE FEASIBILITY STUDY WITH GAMING MARKET ADVISORS IN THE AMOUNT OF \$39,500.00. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton), FOUR OPPOSED (Susan J. LaFernier, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Action #038-2010 Baraga Lumberjack Days Committee Class 1 Social Gaming Drawing License Request for July 3rd -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE CLASS 1 SOCIAL GAMING DRAWING LICENSE ACTION #038-2010 FOR THE BARAGA LUMBERJACK DAYS COMMITTEE AND TO WAIVE THE FEE. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 1:55 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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. LaFernier, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist