

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – MAY 6, 2010 – 9:00 A.M.**

- A. Date: May 6, 2010
- B. Call to Order: Vice President Emery called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer and prayers for Jerry Swartz and Sharon Brunk
- D. Roll Call: Present: William E. Emery, Vice President  
Susan J. LaFernier, Secretary  
Elizabeth “Chiz” Matthews, Assistant Secretary  
Eddy Edwards, Treasurer  
Jerry Lee Curtis (arrived at 9:17 a.m., left 1:14–1:48 p.m., left at 1:54 p.m.)  
Fred Dakota  
Gary F. Loonsfoot, Sr. (left at 2:43 p.m.)  
Elizabeth D. Mayo (arrived at 10:15 a.m.)  
Toni J. Minton  
Isabelle Helene Welsh  
Absent: Warren C. Swartz, Jr., President  
Michael F. LaFernier, Sr.
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 6, 2010
- |            |                |   |
|------------|----------------|---|
| Additions: | FYI-           | 2. Susan LaFernier, Secretary – Update on Eagle Rock<br>3. President’s Eagle Rock Press Release |
| Deletion:  | Closed Session | 1. Derek “Deve” Sever, Radio Station Manager<br>2. John Baker, Attorney                         |

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

**Jerry Lee Curtis arrived at 9:17 a.m.**

G. For Your Information:

1. Request for Tribal and Federal Partnership Representatives for a Data Management Committee (DMC) and the Tribal Data Exchange (TDE) Project. The CEO will review.
2. Update on Eagle Rock. Request for a mess kit for the campers.
3. President's Eagle Rock Press Release May 5, 2010 – "KBIC will seek permanent access to Eagle Rock for Tribal Members"

H. Approval of Meeting Minutes:

1. December 10, 2009

**MOTION MADE BY TONI J. MINTON TO APPROVE THE DECEMBER 10, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth "Chiz" Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

2. December 17, 2009

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE DECEMBER 17, 2009 MEETING MINUTES. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Susan J. LaFerner, Elizabeth "Chiz" Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton), OPPOSED - 0, TWO ABSTAINING (Eddy Edwards, Isabelle H. Welsh), THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

3. January 2, 2010

**MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE JANUARY 2, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth "Chiz" Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

4. January 7, 2010

**MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 7, 2010 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth "Chiz" Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

I. New Business:

1. Eddy Edwards – 1<sup>st</sup> Reading Amendment to Tribal Code Title 7 Domestic Relations 7.211 Section E 2010-05. Eddy read the amendment regarding grandparent’s rights.

Isabelle Welsh stated she would like Heather Chapman to review the amendment to be sure it is not infringing on the parents’ constitutional rights.

**MOTION MADE BY EDDY EDWARDS TO INTRODUCE THE AMENDMENT TO THE TRIBAL CODE TITLE 7 DOMESTIC RELATIONS ORDINANCE 2010-05. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

2. Summer Cohen, THPO – Resolution KB-1748-2010 Identification of Traditional Cultural Properties. The U.S. government and all agencies have a trust responsibility to manage Tribal lands and Tribal cultural and natural resources in a manner responsive to the interests of the Tribe and its members.

**MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1748-2010 IDENTIFICATION OF TRADITIONAL CULTURAL PROPERTIES. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

3. Larry Denomie III, CEO/Sarah Smith, Assistant CEO –
  - a) Update on ITC Board Meeting – discussion regarding the process of KBIC becoming the designated grantee for our Head Start Program

**Elizabeth Mayo arrived at 10:15 a.m.**

Terri Denomie present

- b) Director of Head Start/Early Head Start Position – Sarah reviewed the qualifications required which include a Bachelor’s Degree by 2013. Larry requested the Council to go forward with a job description and a budget. Tribal funds will have to cover what ITC does not relinquish.
4. John Baker, Attorney – Baraga Fire Department Liquor License Application for the Mud Drags May 22, 2010. The application fee is \$100.00.

**MOTION MADE BY FRED DAKOTA TO APPROVE THE LIQUOR LICENSE APPLICATION FOR THE BARAGA FIRE DEPARTMENT AND TO WAIVE THE FEE. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Elizabeth “Chiz” Matthews, Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.**

Eddy Edwards stated his opposition: He feels they should pay the license fee like the other non-profits have had to.

J. Closed Session:

1. Eddy Edwards/Jim Nardi - GM Position Follow-up
2. Eddy Edwards, Treasurer/Francis LaPointe, CFO – Finance Session

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:21 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.**

**Break: 11:22 – 11:39 a.m.**

**Lunch: 12:07 – 1:14 p.m.**

**Gary Loonsfoot, Sr. returned from lunch at 1:21 p.m.**

**Jerry Lee Curtis returned from lunch at 1:48 p.m.**

**Jerry Lee Curtis left at 1:54 p.m.**

**Gary Loonsfoot, Sr. left at 2:43 p.m.**

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 2:55 P.M. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**Break: 2:56 – 3:06 p.m.**

K. New Business:

5. Jason Ayres, Realty Officer –
  - a) Resolution KB-1749-2010 Seavoy Acquisition/Purchase Agreement

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1749-2010 SEAVOY ACQUISITION. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

- b) Land Acquisition Budget Modification Request – Jason is requesting an additional \$150,000.00 in funding needed to negotiate with Plum Creek for 240 acres. 3 (40) acre parcels on the Indian Cemetery Road.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$160,000.00 FOR THE LAND ACQUISITION BUDGET MODIFICATION TO MOVE FORWARD WITH THE PURCHASE OF THE PLUM CREEK PROPERTY OF 240 ACRES. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Baraga Casino General Manager Position Offer to Robert Mudd –

**MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE GENERAL MANAGER POSITION TO MR. ROBERT MUDD AND NEGOTIATE THE CONTRACT AND SALARY. SUPPORTED BY EDDY EDWARDS. FIVE IN FAVOR (Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Susan J. LaFernier, Elizabeth “Chiz” Matthews), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY FRED DAKOTA TO ADJOURN AT 3:22 P.M. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist