

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JANUARY 28, 2010 – 9:00 A.M.**

- A. Date: January 28, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:20 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President (left at 4:10 p.m.)
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis (arrived at 9:30 a.m.)
Gary F. Loonsfoot, Sr. (left 11:15 – 11:42 a.m., left at 2:41 p.m.)
Elizabeth D. Mayo (left 10:15 a.m. – 3:45 p.m.)
Toni J. Minton (arrived at 1:11 p.m., left at 4:32 p.m.)
Isabelle Helene Welsh (arrived at 10:34 a.m.)

Absent: Fred Dakota
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: January 28, 2010

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| Additions: | New Business- | 1. President Swartz – Donation Requests
a) Betty Brunk
b) Mary Campioni
c) Haiti Fund |
| Move: | New Business- | 2. John Bussey - Closed Session 6. a), b), and c) |

Susan LaFernier requested FYI number 3. be placed in Closed Session. The Council consensus was to leave it under FYI because they felt it is the public’s money and should be in Open Session.

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

G. For Your Information:

1. Letter regarding Consultation on “How to reform the Contract Health Services (CHS) Program of the Indian Health Services (I.H.S.)”

Jerry Lee Curtis arrived at 9:30 a.m.

2. Information for Review Regarding the CEO Position in Relation to Casino/Enterprise Operations – this will be placed on the February 11, 2010 Agenda
3. Guaranteed Loan Program Account Summary from SNB January 26, 2010 – this will be placed on the February 11, 2010 Agenda

H. New Business:

1. President Swartz – Donations
 - a) Betty Brunk – Brenda Brunk requested \$250.00 for medical travel expenses regarding her mother’s illness. Brenda is eligible for \$400.00 through the Community Assistance Program and Debra Picciano will contact her.
 - b) Mary Campioni – Request for assistance in paying the balance for a scooter chair.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE UP TO \$985.89 FOR A SCOOTER CHAIR FOR MARY CAMPIONI WITH THE CONDITION THAT \$300.00 WILL BE DEDUCTED FROM ANY OF DEBBIE PICCIANO’S PROGRAMS IF SHE IS ELIGIBLE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

- c) Haiti Fund

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO DONATE \$1,000.00 TO THE HAITI RELIEF FUND AND HAVE THE PRESIDENT DECIDE WHICH FOUNDATION TO SEND IT TO. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

Break: 10:15 – 10:34 a.m.

Elizabeth Mayo left at 10:15 a.m.

Break: 10:15 – 10:34 a.m.

Isabelle Welsh arrived at 10:34 a.m.

I. Approval of Meeting Minutes:

1. September 10, 2009

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE SEPTEMBER 10, 2009 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), FOUR ABSENT (Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

2. September 11, 2009

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE SEPTEMBER 11, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), FOUR ABSENT (Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

3. September 12, 2009

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE SEPTEMBER 12, 2009 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), FOUR ABSENT (Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

4. September 14, 2009

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SEPTEMBER 14, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FIVE IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (William E. Emery, Eddy Edwards), FOUR ABSENT (Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

5. September 15, 2009

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SEPTEMBER 15, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FIVE IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (William E. Emery, Eddy Edwards), FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

J. Old Business:

1. Gregg Nominelli, Economic Developer/Donna Fredrickson, Planning and Developing Clerk – Comprehensive Strategic Plan Review

Review pages 27 – 29

Gary Loonsfoot, Sr. left 11:15 – 11:42 a.m.

Lunch: 11:50 a.m. – 1:11 p.m.

Toni Minton arrived at 1:11 p.m..

[New Business:]

2. Becky Tussing – PowerPoint Presentation on Prescription Drugs

Becky believes the reason prescription drug abuse is so prevalent on the reservation is that they are easy to acquire and people rationalize that prescription medications are safe.

The Council inquired if our doctors are contributing to the problem?

Becky stated that pain medications are the top prescribed drugs. The Health Department staff meets every two weeks to do case management on prescription drug abuse issues and they also do a pain management committee review. Becky doesn't think that our doctors are the culprit in the large amount of prescriptions that are in Baraga County. She thinks they may be part of the problem, but believes a large amount of our population is severely addicted. Baraga County Family Practice is discharging the patients that are abusing the prescription drug policy and any of those patients that are Native American are coming back to the Tribal Health Department.

President Swartz stated that he believes the providers and the pharmacists are the ones who can have an immediate impact on the problem.

Becky and the Drug Task Force plan to do a community presentation and possibly another parental awareness dinner.

The Council thanked Becky for her presentation and a job well done.

Break: 2:09 – 2:22 p.m.

[Old Business:]

2. Debbie Parrish, Ojibwa Community College President [Not present] – Resolution KB- 1732-2010 USDA Equity in Land Grant Status

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1732-2010 USDA EQUITY IN LAND GRANT STATUS. 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., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

3. Larry Denomie III, CEO/Sarah Smith, Assistant CEO –

- a) Community Center Facility Use Policy

MOTION MADE BY GARY F. LOONSFOT, SR. TO APPROVE THE COMMUNITY CENTER FACILITY USE POLICY WITH THE CHANGES. 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), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

- b) Project Manager Job Description/Budget

Gary Loonsfoot, Sr. left at 2:41 p.m.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PROJECT MANAGER POSITION ANNOUNCEMENT WITH THE CHANGES. UNDER THE PARAGRAPH SUMMARY CHANGE IT TO READ: PERFORMS PROJECT MANAGEMENT AND ENGINEERING DUTIES AND UNDER THE QUALIFICATIONS CHANGE TO: DEGREE IN CIVIL ENGINEERING OR A RELATED FIELD OR DEGREE IN CONSTRUCTION MANAGEMENT PREFERRED AND SET THE SALARY GRADE AS NEGOTIABLE. SUPPORTED BY ISABELLE H. WELSH. FIVE IN FAVOR (Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (William E. Emery, Susan J. LaFernier), ABSTAINING - 0, FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Susan LaFernier stated her opposition: She is opposed because of the qualifications.

[New Business:]

3. John Baker, Attorney –

- a) Jeff Lamson Business License Application (Renewal)

MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE RENEWAL BUSINESS LICENSE OF JEFF LAMSON UNDER THE NAME CUE MASTER. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Elizabeth “Chiz” Matthews, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

(Elizabeth Matthews out of the room)

- b) Jeff Lamson Liquor License Application (New and Renewal) - Jeff is requesting sale of liquor off-premises for consumption

MOTION MADE BY TONI J. MINTON TO APPROVE THE RENEWAL OF JEFF LAMSON’S LIQUOR LICENSE FOR ON PREMISE SALES ONLY. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINING - 0, FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

4. Todd Warner, Natural Resource Director – Proposed Project Review Process - Protocol Concept Discussion

MOTION MADE BY TONI J. MINTON TO MOVE FORWARD WITH DEVELOPING THE INTERNAL REVIEW PROTOCOL FOR KBIC PROJECTS OR GRANT APPLICATIONS THAT AFFECT LAND USE OR DISTURB THE GROUND AND TO BRING IT BACK TO THE COUNCIL. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

K. Closed Session:

1. Todd Warner, Natural Resource Director – University of Wisconsin System Contract for Chronic Wasting Disease Laboratory Analytical Services
2. Gregg Nominelli, Economic Developer/Paul DesRochers, Jr., Committee Chair – Economic Development Committee Contract for Services
3. John Baker, Attorney
4. Larry Denomie III, CEO – Personnel Issues/Updates
5. Warren C. Swartz, Jr., President
6. John Bussey, Executive Director Gaming Commission
 - a) Action 005-2010 Postponement of Hearing for Employee License #KB-111-09
 - b) Action 006-2010 Postponement of Hearing for Employee License #KB-255-09
 - c) Action 007-2010 Vendor License Renewal for Shuffle Master, Inc.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 3:32 P.M. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Mayo returned at 3:45 p.m.

William Emery left at 4:10 p.m.

Toni Minton left at 4:32 p.m.

MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 4:48 P.M. SUPPORTED BY EDDY EDWARDS. SIX IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Gaming Action Numbers 005-2010 and 006-2010 – (Now #008 and #009)

MOTION MADE BY EDDY EDWARDS TO TABLE ACTION #005-2010 AND #006-2010 TO REVIEW THE INFORMATION FOR NEXT WEEKS MEETING. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Gaming Action Number 007-2010 -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE ACTION #007-2010 VENDOR LICENSE RENEWAL FOR SHUFFLE MASTER, INC. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Interim Personnel Director – for Tribal Center Employees

MOTION MADE BY ELIZABETH D. MAYO TO APPOINT HOPE LARAMORE AS THE INTERIM PERSONNEL DIRECTOR AT A GRADE 11, \$21.22, EFFECTIVE FEBRUARY 9, 2010. SUPPORTED BY JERRY LEE CURTIS. THREE IN FAVOR (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Elizabeth “Chiz” Matthews, Eddy Edwards), ONE ABSTAINING (Susan J. LaFernier), FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO TABLE UNTIL THERE IS A FULL COUNCIL.
(Motion died for lack of support)

University of Wisconsin System Veterinary Diagnostic Laboratory Services Agreement -

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SERVICES AGREEMENT WITH THE UNIVERSITY OF WISCONSIN VETERINARY DIAGNOSTIC LABORATORY FOR CHRONIC WASTING DISEASE TESTING FOR \$4,000.00 EFFECTIVE JANUARY 14TH. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FIVE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Economic Development Committee Contract for Services with the Economic Development Corporation of Baraga County

MOTION MADE BY EDDY EDWARDS TO DIRECT THE ATTORNEY TO DRAFT A CONTRACT FOR SERVICES BETWEEN THE ECONOMIC DEVELOPMENT CORPORATION OF BARAGA COUNTY AND KBIC. SUPPORTED BY JERRY LEE CURTIS. FIVE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ISABELLE H. WELSH TO ADJOURN AT 5:00 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist