

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 6, 2009 – 9:00 A.M.

- A. Date: August 6, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary (arrived at 9:20 a.m., left 10:19 – 10:41 a.m.,
left at 2:22 p.m.)
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer
Fred Dakota (left 9:29 – 10:00 a.m.)
Michael F. LaFernier, Sr. (arrived at 1:28 p.m.)
Gary F. Loonsfoot, Sr. (left 12:05 – 1:33 p.m., left at 2:45 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 10:05 a.m.)
- Absent: Jerry Lee Curtis
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 6, 2009

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

G. For Your Information:

1. Pinery Fire Operations Review at Baraga Lakeside Inn on August 19, 2009 9:30 a.m. per MDNR Invitation

Toni Minton arrived at 9:20 a.m.

2. Letter to EPA from Jon Cherry, GM of Kennecott Eagle Minerals for a Meeting to Consider Reasonable Measures to Address KBIC's Cultural Resource Concerns Regarding the Eagle Project
3. 10th Annual TribalNet Conference October 5 – 8, 2009 Las Vegas
4. 23rd AMERIND Member Meeting & Expo Showcasing Programs for Indian Housing Block Grant Protection Plan Participants October 20 – 22, 2009 San Antonio
5. 2009 Request for Nominations for the 11th Annual John Kieffer Award for Exemplary Service to NIGA

Fred Dakota left at 9:29 a.m.

6. A copy of the Environmental Health Survey Reports for the KBIC Powwow, Bingo Hall and Ojibwa II Casino
7. Native American Housing Block Grant (NAHBG) Recovery Act Program FY2009 Application Grant Approval Notification for Home Construction \$1,974,968.00
8. Native American Housing Block Grant (NAHBG) Recovery Act Program FY2009 Application Funding Determination – Unable to Fund Second Application for the Early Childcare Center

H. Approval of Meeting Minutes:

1. June 15, 2006

MOTION MADE BY TONI J. MINTON TO APPROVE THE JUNE 15, 2006 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misenan), FOUR ABSENT (Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Isabelle H. Welsh), MOTION CARRIED.

Break: 9:45 – 10:01 a.m.

Fred Dakota returned at 10:00 a.m.

Isabelle Welsh arrived at 10:05 a.m.

[New Business: #4]

1. Todd Warner, NRD/Cassie Lahtinen, Crew Leader/Dave Magno, Crew Leader/Carl Lindquist, Superior Watershed Partnership, Geraldine Larson, Superior Watershed Partnership – Summer Youth Conservation Crew Introductions and Project Updates.

The Summer Youth Students provided a PowerPoint presentation to the Council of the projects they were involved with over the summer. – Students: Gary Loonsfoot III, Tyler Rasanen, Cody Haataja, Dylan Friisvall, Bethanne Cadeau, Sierra Ayres, Barbie Byykkonen, Hope Minton, Janelle Paquin, Deanna Varline, Tashina Emery.

Toni Minton left at 10:19 a.m.

I. Old Business:

1. Brian Willoughby, E.I.T., I.H.S. Sanitation Facilities Construction/Sarah Smith, Assistant CEO – Scattered Sites Process for Water/Sewer Projects (see handouts)

An environmental review needs to be completed before any work can be done. They need to determine if a site is suitable before a house is put on the site. Applications for I.H.S. funding need to be completed before residential lease resolutions are approved.

Toni Minton returned at 10:41 a.m.

Out of respect for the family of Louella Wood, the Council discussed postponing the Saturday meeting scheduled on August 8, 2009.

MOTION MADE BY WILLIAM E. EMERY TO CANCEL SATURDAY’S MEETING AND POSTPONE UNTIL AUGUST 29TH.

Motion died for lack of support.

MOTION MADE BY JENNIFER MISEGAN TO POSTPONE THIS SATURDAY’S AUGUST 8TH MEETING AUGUST 15TH AT 11:00 A.M. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

(William Emery out of the room)

Labor Day Weekend:

MOTION MADE BY JENNIFER MISEGAN TO MOVE THE SEPTEMBER 5TH REGULAR MEETING TO SEPTEMBER 12TH. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Gary F. Loonsfoot, Sr.), ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

(William Emery out of the room)

J. New Business:

2. Carole LaPointe, Health Director [Not present] – Resolution KB-1699-2009 to implement I.H.S. Electronic Health Records – I.H.S. FY 2010 Tribal Management Grant Program funding for 2 years in the amount of \$245,969.00

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1699-2009 I.H.S. ELECTRONIC HEALTH RECORD. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Jennifer Misegan), ONE ABSTAINING (William E. Emery), TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. Sarah Smith, Assistant CEO –

- a) Donald LaPointe Health & Education Facility Renovation & Expansion Project Budget Modification

Sarah updated the Council on significant increases in the cost of U.P. Engineers engineering/architect fees and the raised estimated cost of construction for the project. The Council had questions as to whether the design and plans belong to KBIC and how much has been spent on the project to this point. Sarah will return to the Council with the information.

Lunch: 12:05 – 1:12 p.m.

- b) Health Clinic Loss Insurance Claim – Sarah informed the Council that there is an increase to the amount in the electrical per Dominic Picciano and asked if we wanted to accept the claim as presented. Dominic will speak with the adjustors for possible additional funds.
- c) USDA Child Development Center Grant - /Jim Stingle, Grant Writer stated the Council needs to decide by Monday, August 10th if they want the grant for \$50,000.00. \$1.4 million is still needed to complete the project. A letter of intent needs to be sent.

Jennifer Misegan returned from lunch at 1:18 p.m.

Mike LaFernier, Sr. arrived at 1:28 p.m.

MOTION MADE BY TONI J. MINTON TO APPROVE THE COMMUNITY’S APPLICATION FOR THE USDA CHILD DEVELOPMENT CENTER GRANT FOR \$50,000.00. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

K. Closed Session:

1. Todd Warner, NRD – Household Hazardous Waste Collection Service Agreement
2. Jennifer Misegan, Treasurer – ATM Proposal
3. Summer Cohen, THPO – Department Head Update
4. Robin Chosa, TERO – Department Head Update [Reschedule]
5. Sarah Smith, Assistant CEO - Youth Programs and Facilities Coordinator Applicants

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 1:32 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

(Jennifer Misegan out of the room)

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

Break: 2:22 – 2:38 p.m.

Toni Minton left at 2:22 p.m.

Gary Loonsfoot, Sr. left at 2:45 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 3:20 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

[Return to New Business]

4. Jason Ayres, Realty Officer –

- a) Resolution KB-1700-2009 Timothy D. Gauthier Residential Lease

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1700-2009 TIM GAUTHIER RESIDENTIAL LEASE. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

(Isabelle Welsh out of the room)

b) Resolution KB-1701-2009 Jason L. Forcia Residential Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1701-2009 JASON FORCIA RESIDENTIAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

(Isabelle Welsh out of the room)

c) Resolution KB-1702-2009 Joseph E. LaFernier Recreational Lease

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1702-2009 JOE LAFERNIER RECREATIONAL LEASE. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

(Isabelle Welsh out of the room)

d) Resolution KB-1703-2009 Shane D. Pittsley Recreational Lease

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1703-2009 SHANE PITTSLEY RECREATIONAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

e) Resolution KB-1704-2009 Kathleen J. Manning Recreational Lease

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1704-2009 KATHY MANNING RECREATIONAL LEASE. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Public Land Auction August 14, 2009 – Jason requested permission to bid on 7.92 acres within the KBIC Ontonagon Reservation

MOTION MADE BY FRED DAKOTA TO APPROVE JASON AYRES TO ATTEND A PUBLIC AUCTION AND TRY TO ACQUIRE TAX REVERTED LAND FOR UP TO \$3,500.00. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

(Elizabeth Mayo out of the room)

MOTION MADE BY JENNIFER MISEGAN TO ACCEPT THE PROPOSAL FROM SUPERIOR NATIONAL BANK FOR ATM SERVICES AT THE PINES AND OJIBWA CASINO. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFernier), FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

(Elizabeth Mayo out of the room)

KBIC Clean Sweep 2009 – August 15th Household Hazardous Waste Collection Event for \$3,621.40

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE SERVICES AGREEMENT FOR THE WRR ENVIRONMENTAL SERVICES CO., INC. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 3:50 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist