

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JUNE 23, 2011 – 9:00 A.M.**

A. Date: June 23, 2011

B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.

C. Invocation: Lord's Prayer

D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFerner, Secretary
Eddy Edwards, Treasurer (arrived at 9:12 a.m.)
Jerry Lee Curtis
Fred Dakota
Michael F. LaFerner, Sr. (left 9:55 – 10:18 a.m.)
Gary F. Loonsfoot, Sr. (arrived at 9:15 a.m.)
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (left 10:40 – 11:45 a.m.)

Absent: Toni J. Minton, Assistant Secretary

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: June 23, 2011

Addition: Old Business- 5. President Swartz – Little League Donation Request
6. Isabelle Welsh – Wheelchair Donation Update

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

G. For Your Information:

1. A copy of the Healing Circle Run/Walk – July 9-15, 2011 (8) Ojibwe Tribes
2. A copy of approved KBIC Gaming Commission meeting minutes from May 4, 2011
3. A copy of approved KBIC Gaming Commission meeting minutes from May 19, 2011
4. A copy of a travel report from Larry Denomie on the National Association of Food Distribution Programs on Indian Reservations (NAFDPIR) that was held on June 6-9, 2011 Tulsa, OK. Darren Webb also attended.
5. A copy of the KBIC Guaranteed Loan Program Account Summary from Superior National Bank – June 15, 2011
6. A copy of the Baraga & Marquette Random Drug Screens report – June 1, 2011
7. BIA sponsors the “First Annual Partners in Action Conference” August 9-11 in Hinckley, MN - Regarding information pertaining to both BIA trust and Indian service programs provided by the BIA

Eddy Edwards arrived at 9:12 a.m.

Gary Loonsfoot, Sr. arrived at 9:15 a.m.

H. Old Business:

1. Eddy Edwards – a) Indian Housing Plan 2012 (both plan formats need to be approved)

The new plan is due July 13, 2011 and the old plan is due July 1, 2011. The Council requested a copy of the old plan for review and it will be sent by e-mail.

- b) Clarification of KBIC and OCC’s MOA regarding Tuition

The Council’s intention was to offer all KBIC members at the college a tuition waiver. – Page 2 Number 11, take out: who are not eligible to receive financial aid and who meet the College’s admission and academic requirements, with a tuition waiver for each semester eligible.

MOTION MADE BY EDDY EDWARDS TO AMEND THE MOA LANGUAGE WITH OCC TO REWORD THE FIRST SENTENCE IN NUMBER 11 PAGE 2 AND INSERT: PROVIDE KBIC MEMBERS WITH A TUITION WAIVER FOR EACH SEMESTER ELIGIBLE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS.

MOTION MADE BY SUSAN J. LAFERNIER TO TABLE FOR FURTHER REVIEW AND MEET WITH DEBBIE PARRISH, CHERIE DAKOTA, AND AMY ST. ARNOLD. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), THREE OPPOSED (Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

2. Darren Webb (not present)/Larry Denomie, CEO - Request Bid Approval for a Backup Generator – (2) Bids

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE CUMMINS DIESEL BID IN THE AMOUNT OF \$35,952.00 FOR A GENERATOR FOR THE COMMODITY FOODS BUILDING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

Mike LaFernier, Sr. left at 9:55 a.m.

3. Larry Denomie III, CEO – a) Personnel Policy Amendment to 2.4 Classification of Employees – F. Seasonal

The seasonal employee would not be eligible for BC/BS. After one year of service or 1000 hours they would be eligible for the 401K if they work within the Tribe and moved to the Public Works Department.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE SEASONAL EMPLOYEE CLASSIFICATION AS AN AMENDMENT TO SECTION 2.4 OF THE PERSONNEL POLICIES. SUPPORTED BY ISABELLE H. WELSH. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.

- b) Proposed Amendment Options to the KBIC Personnel Policy - Re-hire and Hiring Committee Recommendation

MOTION MADE BY ELIZABETH D. MAYO TO TABLE UNTIL NEXT WEEK FOR FURTHER REVIEW. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.

Break: 10:05 – 10:18 a.m.

Mike LaFernier, Sr. returned at 10:18 a.m.

4. Bruce LaPointe – Update on Transfer Station regarding site plan and estimate of probable construction costs – There are Indian businesses interested in placing bids for the construction of the transfer station. Bids will be accepted soon.

5. Isabelle Welsh – Wheelchair Donation Update – Medicaid will now cover the costs for a new chair and may take a year to approve and order. The consensus of the Council is to use the donation for repairs if needed.

Isabelle Welsh left at 10:40 a.m.

6. President Swartz – Little League Sponsorship Donation Request – Hometown Heroes Game and Lumberjack Days All-Star Activities in honor of SPC Pfc. Robert L. Voakes, Jr.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE A DONATION OF \$1,000.00 FOR THE HOMETOWN HEROES GAME LITTLE LEAGUE REQUEST. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, 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, TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

I. New Business:

1. Roger LaBine, LVD Tribal Member/Evelyn Ravindran - Request permission to conduct a Wild Rice Mini-Camp July 9th & 10th at the Pow-Wow Grounds

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE USE OF THE POW-WOW CAMPGROUNDS TO CONDUCT A MINI WILD RICE CAMP ON JULY 9TH AND 10TH TO HARVEST BIRCH BARK. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, 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, TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

2. Mary Wright – The Story Line Project

MOTION MADE BY FRED DAKOTA TO APPROVE A DONATION OF \$998.00 FOR CLOTHESLINE TO THE PINE MOUNTAIN MUSIC FESTIVAL FOR THE CLOTHESLINE STORY PROJECT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

(Elizabeth Mayo is out of the room)

3. John Baker – Pete Morin’s Fireworks License Application (Renewal) for one year - Morin Fireworks

MOTION MADE BY FRED DAKOTA TO APPROVE THE RENEWAL FIREWORKS LICENSE FOR PETE MORIN. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

(Elizabeth Mayo is out of the room)

4. Elizabeth Mayo – Clarification on 4th of July Holiday

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE JULY 5TH AS A HOLIDAY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, 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, TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

J. Closed Session:

1. Arlan Friisvall – Budget Modification - Trailer Park
2. Janice Halverson: a) CNAP Request from Tribal Member
b) Policy Revision for Mileage/Other for Medical Travel
3. Larry Denomie, III, CEO – Review Applications for the Baraga Casino Assistant Manager Position
4. Susan LaFernier – Government Employee Appeal of Termination Request

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:03 A.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh returned at 11:45 a.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 11:55 A.M. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

Arlan Friisvall Request for Trailer Park Budget Modification –

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE 622 BUDGET MODIFICATION INCREASE OF \$19,500.00 FOR THE TRAILER PARK FROM THE RESERVE. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

CNAP Policy Revisions for Mileage/Other – for Medical Travel

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE CHANGES TO THE MEDICAL TRAVEL POLICY FOR THE CNAP/CAP PROGRAM AS FOLLOWS: MEAL ALLOWANCES: 6 A.M.–NOON \$6.00, NOON–6:00 P.M. \$8.00, 6:00 P.M.-6:00 A.M. \$10.00, FEDERAL NON-PROFIT MILEAGE RATE FOR THE AREA THEY ARE GOING, AND TO USE THE 75% MAXIMUM ALLOWANCE FOR THE HOTEL, AND TO HAVE THEM BRING PROOF OF ATTENDANCE (APPOINTMENT AND HOTEL RECEIPTS IF THEY STAYED AT A HOTEL). SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 12:00 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

Respectfully submitted,

Peggy Minton (for Kim Klopstein)
Administrative Specialist