

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JULY 28, 2011 – 9:00 A.M.**

- A. Date: July 28, 2011
- B. Call to Order: Vice President Emery called the meeting to order at 9:05 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: William E. Emery, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis (arrived at 9:07 a.m.)
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 9:19 a.m.)
Gary F. Loonsfoot, Sr. (arrived at 9:08 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh
Absent: Warren C. Swartz, Jr., President
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 28, 2011
- Addition: Closed Session- 4. Susan LaFernier, Secretary – Personnel Issue

Jerry Lee Curtis arrived at 9:07 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Gary Loonsfoot, Sr. arrived at 9:08 a.m.

G. For Your Information:

1. SNB KBIC Guaranteed Loan Program Account Summary as of July 25, 2011
2. Constitution Convention Meetings August 17th and 31st at the Ojibwa Senior Citizens Center

H. Approval of Meeting Minutes:

1. January 14, 2011

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE JANUARY 14, 2011 MEETING MINUTES. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Fred Dakota), TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.

2. January 20, 2011

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE JANUARY 20, 2011 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, 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 (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.

I. Recognize Scheduled Delegation/Individuals:

1. Margaret Comfort – 4th Annual Protect the Earth Great Lakes Gathering on August 6, 2011

The event is being held at the Van Riper State Park in Champion, MI by Save the Wild U.P. (SWUP) and Water Action Vital Earth (WAVE).

Mike LaFernier, Sr. arrived at 9:19 a.m.

J. Old Business:

1. Bruce LaPointe, Project Manager - Sand Point Layout Update

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SAND POINT LAYOUT AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Isabelle H. Welsh), ONE ABSTAINING (Eddy Edwards), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

K. New Business:

1. Bruce LaPointe, Project Manager – Caterpillar Excavator Repair Bids

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE CATERPILLAR EXCAVATOR PARTS FROM FABCO CAT FOR \$11,267.09 AND THE LABOR FROM J&H WELDING CO. FOR \$750.00 FOR A TOTAL AMOUNT OF \$12,017.09. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

2. Todd Warner, NRD/Pam Nankervis – Usimaki Road Wetland Property (grant closeout) Fish and Wildlife Service funds available \$16,784.60. We purchased 80 acres.

MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE USIMAKI ROAD WETLAND 50 ACRES AS A NON-DEVELOPMENT WETLAND AND USE THE GRANT FUNDS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

3. Sarah Maki, Assistant CEO – 3.6 Personnel Policy Amendments regarding Background Investigations. Policy for employees, volunteers, and others subject to the Indian Child Protection and Family Violence Prevention Act.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AMENDED POLICY WITH THE CHANGE TO DELETE “REGULAR CONTACT WITH” AND ADD “DIRECT SUPERVISION OR CONTROL OF CHILDREN.” SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

4. Gary Loonsfoot, Sr. – Tribal Weatherization Assistance Program Policy Guidelines

The Council discussed the eligibility requirements of the program. Larry Denomie will review the applications and verify the points. Bruce LaPointe will bring the policy back next week for clarification.

Elizabeth Mayo left at 10:25 a.m.

Break: 10:30 – 10:42 a.m. (Elizabeth Mayo is back)

L. Closed Session:

1. Larry Denomie III, CEO – Los Tres Amigos Restaurant Asbestos and Lead-Based Paint Survey Agreement
2. John Baker, Attorney [not present]/Christoph Geiger, Deputy Attorney
3. Carole LaPointe, Health Director (not present)/Larry Denomie III, CEO - OVW Organizational Structure
4. Susan LaFERNIER, Secretary – Personnel Issue

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 10:43 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.

(Mike LaFERNIER, Sr. is out of the room)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 11:33 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

OVW (Office of Violence against Women) Organizational Structure – The KBIC Niimi Gimi Wang (Dancing in the Rain) Transitional Home will become an independent department named: KBIC OVW Programs and Services

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE ORGANIZATIONAL STRUCTURE FOR THE OFFICE OF VIOLENCE AGAINST WOMEN (MOVING THE OVW OUT OF DHHS), PROMOTE SYLVIA MURRAY AS THE PROGRAMS AND SERVICES TEAM LEAD, CHANGE HER GRADE TO 13, INCREASE HER WAGE TO \$27.00 AN HOUR, AND ADJUST THE JOB DESCRIPTION ACCORDINGLY. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

Sports Car Club of America, Inc. License Agreement (SCCA) –

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE LICENSE AGREEMENT FOR SCCA LAKE SUPERIOR REGION 2011 SOLO EVENTS FOR SEPTEMBER 11, 2011 ON THE MARQUETTE AIRPORT PROPERTY. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

Los Tres Amigos Restaurant Asbestos and Lead-Based Paint Survey Agreement –

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PROPOSAL FROM AECOM TO COMPLETE AN ASBESTOS AND LEAD-BASED PAINT SURVEY ON THE FORMER LOS TRES AMIGOS RESTAURANT PROPERTY IN MARQUETTE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 11:38 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, 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 (Warren C. Swartz, Jr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist