

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – FEBRUARY 18, 2010 – 9:00 A.M.

- A. Date: February 18, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:13 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis (arrived at 9:18 a.m.)
Michael F. LaFernier, Sr. (arrived at 1:23 p.m.)
Gary F. Loonsfoot, Sr. (left at 2:45 p.m.)
Elizabeth D. Mayo (arrived at 9:21 a.m.)
Toni J. Minton (left 10:10 a.m. – 1:05 p.m.)
Isabelle Helene Welsh (arrived at 9:15 a.m., left 1:19 – 1:40 p.m., left 1:53 – 2:17 p.m., left at 2:19 p.m.)
- Absent: Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 18, 2010
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| Deletion: | Closed Session- | 2. John Baker, Attorney |
| Additions: | New Business- | 6. Larry Denomie III, CEO – Project Manager Position Discussion |
| | | 7. Eddy Edwards, Treasurer – Donation Requests |
| | FYI- | 2. President Swartz - Spring Spearing Update |
| | | 3. President Swartz - Vincent Rose – BC/BS |
| | Closed Session- | 2. Susan LaFernier, Secretary – Jessica Koski Masters Research Project |

Isabelle Welsh arrived at 9:15 a.m.

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

Jerry Lee Curtis arrived at 9:18 a.m.

G. For Your Information:

1. VOIGT Intertribal Task Force Meeting Minutes January 7, 2010
2. Spring Spearing Update – The Natural Resource Committee is reviewing other alternatives for this year’s walleye spearing and the impacts

Elizabeth Mayo arrived at 9:21 a.m.

3. Vincent Rose BC/BS Renewal Information/Options Meeting on March 11, 2010, 9:30 a.m.

President Swartz also stated that the Committees vacancies will be announced on the radio, L’Anse Sentinel, and in the newsletter. Susan LaFernier will bring the concerns from last year regarding committee selections.

H. Old Business:

1. President Swartz – Chain of Command/Organizational Charts Discussion. The revised personnel policies will clarify the CEO’s authority.

Break: 9:55 – 10:10 a.m.

Toni Minton left at 10:10 a.m.

Break: 10:55 – 11:17 a.m.

I. Closed Session:

1. Susie Lawrence, Background Investigator/License Coordinator
 - a) Action 015-2010 New Employee License KB-001-10
 - b) Action 016-2010 New Employee License KB-002-10
 - c) Action 017-2010 New Employee License KB-280-09
 - d) Action 018-2010 New Vendor License – Olsen Gaming, Inc./Spectronix
 - e) Action 019-2010 Renewal Vendor License – Data Financial, Inc.
2. Susan LaFernier, Secretary – Jessica Koski Masters Research Project

MOTION MADE BY SUSAN J. LAFERNIER TO GO INTO CLOSED SESSION AT 11:19 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFERNIER, Sr., Toni J. Minton), MOTION CARRIED.

(President Swartz out of the room)

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 11:42 A.M. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFERNIER, Sr., Toni J. Minton), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE ACTION NUMBERS 015-2010, 016-2010, 017-2010 NEW EMPLOYEE LICENSES AND ACTION NUMBER 018-2010 NEW VENDOR LICENSE FOR SPECTRONIX AND ACTION NUMBER 019-2010 RENEWAL VENDOR LICENSE FOR DATA FINANCIAL, INC. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFERNIER, Sr., Toni J. Minton), MOTION CARRIED.

Lunch: 11:45 a.m. – 1:05 p.m.

Toni Minton returned to the meeting at 1:05 p.m.

J. New Business:

1. Carole LaPointe, Health Director/Dr. Brent Johnson, Dentist – Program for Braces – Carole and Dr. Johnson reviewed the costs for braces and the success rates seen in the Community, which have not been high. PowerPoint Information was presented.

Isabelle Welsh left 1:19 – 1:40 p.m.

Mike LaFERNIER, Sr. arrived at 1:23 p.m.

The Council will form a work group to come up with a plan for a dental program to assist tribal members with the cost for braces.

2. Dale Dakota, Chief of Police – Police Vehicle Bids

Isabelle Welsh left at 1:53 p.m.

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE PURCHASE OF A 2010 DODGE CHARGER FOR \$24,515.00, A 2010 FORD EXPEDITION FOR \$26,080.00 AND A 2010 F-150 RAPTOR FOR \$27,689.00 FROM BIG VALLEY FORD. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), THREE OPPOSED (Elizabeth “Chiz” Matthews, Eddy Edwards, Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

Mike LaFernier, Sr. stated his opposition: He feels Big Valley gives poor service.

Break: 1:57 – 2:15 p.m.

3. Sarah Smith, Assistant CEO – Verizon GSA Cellular Phone Contract (Verizon purchased Alltel)

Isabelle Welsh returned to meeting at 2:17 p.m.

Isabelle Welsh left at 2:19 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE VERIZON GSA CELLULAR PHONE CONTRACT AS PRESENTED. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

4. Eddy Edwards, Treasurer – Donation Requests

- a) Davan Ravindran for the KB Hockey Association 2010 District 8 U.P. Championship Peewee Hockey Tournament at the L’Anse Meadowbrook Arena on February 19-21

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO DONATE \$250.00 TO THE KEWEENAW BAY HOCKEY ASSOCIATION FOR THE 2010 DISTRICT 8 U.P. CHAMPIONSHIP PEEWEE HOCKEY TOURNAMENT. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

- b) Frank Pallone for Congress Campaign

MOTION MADE BY TONI J. MINTON TO DONATE \$1,000.00 TO THE PALLONE FOR CONGRESS CAMPAIGN. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

- c) Marquette Tribal Member Request for Payment of Diabetic Shoes - \$385.00 past bill from two years ago

MOTION MADE BY ELIZABETH D. MAYO TO DENY THE TRIBAL MEMBER REQUEST FOR THE DIABETIC SHOES DUE TO THE PROPER PROCESS NOT BEING FOLLOWED. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.

5. Chris Gerard, Weed and Seed Director - Four Thunders Drum Prevention/Intervention Project \$5,400.00 February 20 – March 30, 2010 on construction of a drum and drum meaning/teachings

Council discussed the issue of a convicted felon (for child molestation) on the drum group, and the fact that parents and seniors are concerned about this.

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

Chris Gerard expressed to the Council that he has been working on the project since September and this was never brought to his attention until recently.

Council discussed whether the one convicted could be asked to back out of the program being held for kids. Due to the time frame of the conviction there are no restrictions on the offender.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE SERVICES AGREEMENT BETWEEN THE TRIBE AND THE FOUR THUNDERS DRUM AND ATTACHMENT 1, THE SCOPE OF SERVICES AND FEE SCHEDULE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Michael F. LaFerner, Sr., Toni J. Minton), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Elizabeth Mayo stated her opposition: She is opposed due to one of the drum members being a convicted child molester.

6. Gregg Nominelli, Economic Developer – 2011 Federal Appropriation Requests (4). The projects were recommended by staff for submission due on February 19th.

Susan LaFerner questioned what happened with Stupak’s Appropriations List that Council reviewed last February with 8 projects. Gregg stated that he will look into it.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE 2011 FEDERAL APPROPRIATION REQUESTS WITH THE CHANGE OF ADDING THE ELECTRONIC HEALTH RECORD AS A. AND MOVE EVERYTHING ELSE DOWN THE LIST ACCORDINGLY. SUPPORTED BY WILLIAM E. EMERY.

MOTION MADE BY SUSAN J. LAFERNIER TO ADD A FRIENDLY AMENDMENT TO INCLUDE THE SAND POINT LIGHTHOUSE RESTORATION TO THIS MOTION AND THE BARAGA WATER INTAKE PROJECT. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Toni J. Minton), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

[Return to Original Motion]

MOTION MADE BY EDDY EDWARDS TO APPROVE THE 2011 FEDERAL APPROPRIATION REQUESTS WITH THE CHANGE OF ADDING THE ELECTRONIC HEALTH RECORD AS A. AND MOVE EVERYTHING ELSE DOWN THE LIST ACCORDINGLY. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Toni J. Minton), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Susan LaFernier stated her opposition: She is opposed because of the hazards of the mining waste transferred to the reservation with the Acquisition of the Terex Facility for the Stamp Sand Project.

7. Larry Denomie III, CEO/Hope Laramore, Interim Personnel Director – Project Manager
Position Discussion

Hope Laramore reviewed the applicants and their qualifications. Larry recommended interviewing the first five applicants.

MOTION MADE BY EDDY EDWARDS TO INTERVIEW THE FIRST FIVE APPLICANTS, BRUCE LAPOINTE, DANIEL CONNOR, DENNIS RICH, JOHN LEZOTTE, AND MARK PIETILA AND TO SCHEDULE THE INTERVIEWS IN TWO WEEKS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Toni J. Minton), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

K. Old Business:

1. Gregg Nominelli, Economic Developer – Comprehensive Strategic Plan Review [Reschedule]

L. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 3:38 P.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Toni J. Minton), ONE OPPOSED (Susan J. LaFerner), ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist