

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – MARCH 25, 2010 – 9:00 A.M.**

- A. Date: March 25, 2010
- 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  
Elizabeth “Chiz” Matthews, Assistant Secretary (left 2:42 – 2:52 p.m.)  
Eddy Edwards, Treasurer  
Jerry Lee Curtis  
Fred Dakota (left at 2:42 p.m.)  
Michael F. LaFerner, Sr. (arrived at 2:25 p.m.)  
Gary F. Loonsfoot, Sr. (left at 2:39 p.m.)  
Elizabeth D. Mayo (arrived at 9:10 a.m., left at 12:04 p.m.)  
Toni J. Minton  
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 25, 2010

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

G. For Your Information:

1. Tribal Tobacco Tax Resolution for Review

2. Winnebago Tribe Title 10 Code for Review
3. A letter from Ken Salazar, Secretary of the Interior, regarding the Cobell Settlement Update
4. Great Lakes Restoration Initiative (GLRI) Funding – 1<sup>st</sup> funding for MI – 1.7 million for Lac LaBelle Property purchase
5. WHIPP Task Force Healthy Potluck for KBIC Employees March 25, 11:00 a.m. – 1:00 p.m.

H. Old Business:

1. President Swartz - Proposed KBIC Newsletter Guidelines

Susan LaFerner suggested adding #24 Church Services Schedule for Zeba and Assinins.

Jerry Lee Curtis suggested adding to #8 Non-profit organizations such as AA, Gamblers Anonymous Meetings, OA, NA, etc.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE NEWSLETTER GUIDELINES INCLUDING #24 AND ADDITION TO #8. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.**

2. Larry Denomie, CEO - BC/BS Renewal Rates

Government Employee Family Rate is \$164.00, Two Person is \$136.00, and Single is \$67.00.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE EMPLOYEE BC/BS RATES FOR 2010 - 2011. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.**

I. New Business:

1. Casino Projects Task Force – Presentation

Task Force Members Present: Larry Denomie III, Hosh LaPointe, Gene Emery, Eddy Edwards, John Baker, David Haataja, Lynn Haataja, Gregg Nominelli, Elizabeth Mayo. Also present: Barb Mayo and David Rantanen.

They recommended a project begin in Marquette.

Our Compact expires in 2022 and will need to be extended. A list of needs for negotiations needs to be developed.

Gregg Nominelli urged the Council to move towards the Negaunee Airport property for a casino and gas station.

**Break: 10:06 – 10:20 a.m.**

The Task Force will meet and develop a comprehensive action plan regarding the time frame and costs for possible projects in Baraga and Marquette.

**MOTION MADE BY EDDY EDWARDS TO DIRECT THE CEO AND ATTORNEY STAFF TO PURSUE A COMPACT EXTENSION AND NEGOTIATIONS FOR A COMPACT AGREEMENT. SUPPORTED BY WILLIAM E. EMERY.**

ISABELLE H. WELSH ADDED A FRIENDLY AMENDMENT TO INCLUDE FRED DAKOTA AS PART OF THE NEGOTIATIONS.

**MOTION MADE BY EDDY EDWARDS TO DIRECT THE TRIBAL PRESIDENT ALONG WITH THE CEO/STAFF TO PURSUE A COMPACT EXTENSION AND NEGOTIATIONS FOR A COMPACT AGREEMENT WITH THE GOVERNOR/STATE. 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), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

**Break: 11:06 – 11:17 a.m.**

2. Ken Marshall, GIS Specialist – Also present: Tom Chosa, Jim Stingle – KBIC’s GIS Presentation and ANA 3 year Grant Application – The Tribe would save \$12,000.00 a year implementing a fiber optic line for internet use – the cash match is \$16,000.00 for year 1.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE \$16,000.00 CASH MATCH AND AUTHORIZE THE PRESIDENT TO SIGN A LETTER OF SUPPORT FOR THE PROJECT AND FOR CONTINUING THE GIS POSITION. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

3. Dawn Gauthier, Commodity Foods Director – (3) Bids Commodity Foods Center Sewer Line Project

**MOTION MADE BY FRED DAKOTA TO APPROVE THE LOWEST BID, HAATAJA TRUCK’N, IN THE AMOUNT OF \$10,500.00 FOR THE SEWER LINE PROJECT. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (William E. Emery, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Gary F. Loonsfoot, Sr.), TWO ABSTAINING (Susan J. LaFernier, Elizabeth “Chiz” Matthews), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

**Lunch: 12:04 – 1:13 p.m.**

**Elizabeth Mayo left at 12:04 p.m.**

4. Gary Loonsfoot, Jr., Language Coordinator – Student Funding – two students, Toni Minton and Brenda McKittrick, do not qualify for any financial aid to cover class expenses.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO COVER THE EXPENSES FOR TONI MINTON AND BRENDA MCKITTRICK FOR THE IMMERSION CLASS FEES OF \$298.82 AT BMCC THROUGH DONATIONS. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), THREE ABSENT (Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

Gary will get clarification from Amy St. Arnold, Education Director, on the Student Sovereign Fund in regards to the Immersion Students qualifying while attending classes in Bay Mills.

5. John Baker, Attorney – New Business License John E. Varline, Jr. - J & J Pawn Shop and Car Dealership

**Eddy Edwards returned from lunch at 1:23 p.m.**

**MOTION MADE BY FRED DAKOTA TO APPROVE THE PAWN SHOP BUSINESS LICENSE.**

(Motion died for lack of support)

John Baker will request more information regarding the car dealership.

6. President Swartz – Interview Selection for Executive Director of Gaming Commission. (5) Applied.

**MOTION MADE BY EDDY EDWARDS TO INTERVIEW DALE SHALIFOE AND MIKE CARDINAL AS POTENTIAL CANDIDATES FOR THE EXECUTIVE DIRECTOR OF THE GAMING COMMISSION. 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), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

The Interviews will be held April 15, 2010.

J. Closed Session:

1. Gregg Nominelli, Economic Developer - Custom Chassis, Inc.

2. Bruce LaPointe, Project Manager – New Budgets
  - a) HUD ICDBG Early Childhood Education
  - b) HUD ICDBG ARRA Early Childhood Education
3. John Bussey, Executive Director of Gaming Commission – Baraga Fire Department Class I Social Gaming License Action #020-2010
4. Gerry Cadeau, Slot Manager –
  - a) Slot Machine Removal Action #021-2010
  - b) Slot Machine Removal and Install Action #022-2010
  - c) Slot Machine Removal and Install Action #023-2010
  - d) Slot Machine Removal Action #024-2010
5. Susie Lawrence, Background Investigator –
  - a) Higgins Bingo Supplies, Inc. Vendor License Renewal Action #025-2010
  - b) Spielo Manufacturing, ULC Vendor License Renewal Action #026-2010
  - c) WMS Gaming Vendor License Renewal Action #027-2010
  - d) New Employee Gaming License (KB-007-10) Action #028-2010
6. John Baker, Attorney

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 1:38 P.M. 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), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

**Break: 1:39 – 1:50 p.m.**

**Mike LaFernier, Sr. arrived at 2:25 p.m.**

**Gary Loonsfoot, Sr. left at 2:39 p.m.**

**MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 2:41 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

**Break: 2:42 – 2:50 p.m.**

**Elizabeth “Chiz” Matthews and Fred Dakota left at 2:42 p.m.**

Waive the reading of the March 18, 2010 Minutes Regarding the Stipulation To Entry of Consent Judgment and Order of Dismissal with Prejudice Case -

**MOTION MADE BY SUSAN J. LAFERNIER THAT THE TRIBAL COUNCIL WAIVE THE READING OF THE MINUTES OF THE TRIBAL COUNCIL MEETING HELD ON MARCH 18, 2010 REGARDING THE ADOPTION OF THE MOTION BY THE TRIBAL COUNCIL WHICH APPROVED THE STIPULATION TO ENTRY OF CONSENT JUDGMENT AND ORDER OF DISMISSAL WITH PREJUDICE IN KEWEENAW BAY INDIAN COMMUNITY V. ROBERT J. KLEINE, TREASURER OF THE STATE OF MICHIGAN, ET AL, UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF MICHIGAN, CIVIL FILE NO. 2:05-CV-0224. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

ICDBG Early Childhood Education Budgets -

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE HUD ICDBG BUDGET NUMBERS 09.70.630 AND 09.70.755. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), FOUR ABSENT (Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

Elizabeth “Chiz” Matthews returned at 2:52 p.m.

Baraga Fire Department Class I Social Gaming License -

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE BARAGA FIRE DEPARTMENT CLASS I SOCIAL GAMING LICENSE ACTION #020-10. SUPPORTED BY EDDY EDWARDS. 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, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

Gaming Action #021-10 through 024-10 Remove and Install Games at Baraga and Marquette #025-10 through 027-10 Renewals of Higgins Bingo Supplies, Inc., Splelo Manufacturing, ULC, and WMS Gaming, Inc. Manufacturer/Distributor Licenses –

**MOTION MADE BY TONI J. MINTON TO APPROVE ACTION ITEMS #021-10 THROUGH #027-10. 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, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

Gaming Action #028-10 – New Employee Gaming License

**MOTION MADE BY WILLIAM E. EMERY TO DENY THE GAMING LICENSE OF KB-007-10 ACTION #028-10. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY ISABELLE H. WELSH TO ADJOURN AT 2:55 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist