

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JULY 1, 2010 – 9:00 A.M.**

- A. Date: July 1, 2010
- B. Call to Order: Vice President Emery called the meeting to order at 9:30 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: William E. Emery, Vice President
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer (arrived at 10:02 a.m.)
Jerry Lee Curtis (arrived at 9:32 a.m.)
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 10:02 a.m.)
Gary F. Loonsfoot, Sr.
Elizabeth D. Mayo
Toni J. Minton
Isabelle Helene Welsh (arrived at 9:38 a.m.)
Absent: Warren C. Swartz, Jr., President
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.

Jerry Lee Curtis arrived at 9:32 a.m.

- F. Approval of Agenda: July 1, 2010

Additions: New Business- 6. Elizabeth Mayo – a) Parks and Recreation Committee Update
b) 2 Resignations from Parks/Rec. Comm.

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

G. For Your Information:

1. BIA FY2011 Budget Request/Congressional Budget Process Workshop Mystic Lake, MN August 17-18, 2010 – Notify President Swartz if any Council Member would like to attend.
2. Novel by Sherman Alexie “The Absolutely True Diary of a Part-Time Indian” from Lori Muhlig, MTU/AISES Advisor Native American Outreach Coordinator – He will be at MTU on September 14, 2010 at the Roza Center and the Council is invited to attend.

H. Approval of Meeting Minutes:

1. March 4, 2010

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MARCH 4, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh arrived at 9:38 a.m.

International Club Trip \$500 per Student –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE AN ADDITIONAL \$200.00 FOR THE TRIBAL MEMBERS GOING ON THE INTERNATIONAL TRIP.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE ALL STUDENTS WHO REQUESTED FUNDING FOR THE INTERNATIONAL CLUB TRIP TO RECEIVE A TOTAL OF \$500.00 EACH. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. March 6, 2010

MOTION MADE BY FRED DAKOTA TO APPROVE THE MARCH 6, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. March 11, 2010

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE MARCH 11, 2010 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

I. CEO’s Report/May-June 2010 - (and Sarah Smith, Assistant CEO May 2010 Report) available for your review [Also available on ojibwa.com]

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MAY-JUNE 2010 CEO’S REPORT. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

J. Old Business:

1. Susan LaFerner, Secretary –

a) July 3, 2010 Regular Council Meeting

MOTION MADE BY ELIZABETH D. MAYO TO CANCEL THE JULY REGULAR COUNCIL MEETING AND COMBINE IT WITH THE AUGUST MEETING. SUPPORTED BY FRED DAKOTA. FOUR IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), FOUR OPPOSED (Elizabeth “Chiz” Matthews, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFerner, Sr.), TIE VOTE. VICE PRESIDENT EMERY OPPOSED, MOTION DEFEATED.

The meeting will be held on July 3rd.

Mike LaFerner, Sr. and Eddy Edwards arrived at 10:02 a.m.

b) Emergency Fund-Donation Policy – Review

MOTION MADE BY TONI J. MINTON TO TABLE THE DONATION POLICY UNTIL JULY 8, 2010. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFerner, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

(Elizabeth Matthews out of the room)

Break: 10:19 – 10:30 a.m.

2. Todd Warner, NRD – Hoop House (seasonal high tunnel growing house) funding is available from USDA-NRCS. Various sizes were presented.

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE HOOP HOUSE FUNDING FROM USDA-NRCS. SUPPORTED BY GARY F. LOONSFOOT, SR. FIVE IN FAVOR (Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), FIVE OPPOSED (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), TIE VOTE. VICE PRESIDENT EMERY OPPOSED, MOTION DEFEATED.

20X36 High Tunnel Cold Frame unit \$2,217.00 -

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE SMALLEST MODEL. SUPPORTED BY ISABELLE H. WELSH. SIX IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFernier, Sr., Toni J. Minton, Isabelle H. Welsh), FOUR OPPOSED (Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

K. New Business:

1. Todd Warner, NRD – Kid’s Fishing Derby update – 328 registered kids at the event
2. Jessica Koski/Cory Fontaine – Request Sponsorship/Use of Ojibwa Recreation Area/Powwow Grounds for 3rd Annual Protect the Earth Great Lakes Community Gathering

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE \$2,050.00 FOR SPONSORSHIP AND THE USE OF THE RECREATIONAL AREA OF THE POWWOW GROUNDS JULY 30 THROUGH AUGUST 1, 2010. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

3. Bruce LaPointe, Project Manager –
 - a) Commodity Foods Center Addition and Water Damage Repair Bids (3)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE LOW BID OF \$35,822.00 FROM TRIBAL CONSTRUCTION COMPANY FOR THE COMMODITY FOOD WAREHOUSE RENOVATION AND ADDITION. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), TWO ABSENT (Warren C. Swartz, Jr., Isabelle H. Welsh), MOTION CARRIED.

(Isabelle Welsh out of the room)

b) New Day Fire Safety Renovation Bids (3)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE LOW BID OF \$60,095.00 FROM THE OJIBWA BUILDERS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Jerry Lee Curtis, Michael F. LaFernier, Sr.), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

4. Larry Denomie III, CEO – Sewer Pipe Installation Bids (2) at Sand Point

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SEWER PIPE INSTALLATION BID TO TCC AT A COST OF \$14,955.75. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (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, ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

5. Susan LaFernier, Secretary – 1st Reading Proposed Ordinance 2010-01 To Amend Sections 18B.303 through 18B.305 of Title 18 Chapter B of the Tribal Code of the Keweenaw Bay Indian Community to Require the Renewal of Gaming Establishment Licenses Every 3 Years

MOTION MADE BY SUSAN J. LAFERNIER TO INTRODUCE THE PROPOSED ORDINANCE 2010-01 TO AMEND SECTIONS 18B.303 THROUGH 18B.305 OF TITLE 18 CHAPTER B OF THE TRIBAL CODE OF THE KEWEENAW BAY INDIAN COMMUNITY TO REQUIRE THE RENEWAL OF GAMING ESTABLISHMENT LICENSES EVERY THREE YEARS AND TO WAIVE THE 1ST READING OF THE PROPOSED ORDINANCE. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

(Gary Loonsfoot, Sr. out of the room)

6. Elizabeth Mayo –

- a) Parks and Recreation Committee Update – Arlan Friisvall has maintenance workers taking care of the park until the Caretaker position is filled and Committee members will help with the registrations. (Ted Shalifoe retired his position).
- b) The Parks and Recreation Committee have two vacancies. President Swartz will assign two people in accordance to their By-laws.

L. Closed Session:

1. John Baker, Attorney
2. Charles Brumleve, Mining Specialist – Stratus Consulting Funding Request
3. Bruce LaPointe, Project Manager/Jason Ayres, Realty [Not present] – Property Update

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 11:46 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:31 P.M. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Stratus Consulting Contract Additional Funds to develop a technical memo to the EPA on the proposed Yellow Dog Mine surface/groundwater issues –

MOTION MADE BY EDDY EDWARDS TO APPROVE AN ADDITIONAL \$7,000.00 FOR STRATUS CONSULTING FROM THE MINING BUDGET. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 12:33 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist