

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – OCTOBER 11, 2012 – 9:00 A.M.

- A. Date: October 11, 2012
- B. Call to Order: President Swartz called the meeting to order at 9:12 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left 9:38 – 9:58 a.m., left at 10:09 a.m.)
Susan J. LaFerner, Secretary
Toni J. Minton, Treasurer (left 11:13 – 11:31 a.m.)
Fred Dakota
Eddy Edwards (left 10:15 – 10:35 a.m., left 10:39 – 10:54 a.m.)
Jean Jokinen
Michael F. LaFerner, Sr. (arrived at 9:56 a.m., left 10:24 – 10:38 a.m.)
Carole L. LaPointe (left 11:32 a.m. – 12:04 p.m.)
Elizabeth “Chiz” Matthews (left 10:55 – 11:12 a.m.)
- Absent: Jerry Lee Curtis, Assistant Secretary
Robert R.D. Curtis, Jr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 11, 2012
- Addition: New Business- 1. Micah Petoskey, NRD Water Resources Specialist –
Program Vehicle Purchase

Eddy Edwards requested to move FYI 6. to Closed Session 3. Geraldine Bess Housing Termination of Lease Notice from Vicki Dompier, Housing Manager

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.

G. For Your Information:

1. The Marquette County Community Foundation enters into an Agreement with Superior Watershed Partnership and the Rio Tinto Eagle Mine to provide oversight for the Community Environmental Monitoring Program
2. Baraga Casino and Ojibwa II Casino Financial Reports for July FY2012
3. SNB KBIC Guaranteed Loan Program Account Summary October 10, 2012
4. A Letter from Gerald Parish, Superintendent of BIA, regarding no pending Fee-to-Trust Applications
5. Notice of LIHEAP Grant Awards FY2011 and FY2012
6. BIA Technical Comment Letter regarding a Request for Secretarial Election for Proposed Amendment to the Constitution from Diane K. Rosen, Regional Director
7. A Request to join the Michigan Militia Corps

H. New Business:

1. Micah Petoskey, NRD Water Resources Specialist – Program Vehicle Purchase (3) Bids – EPA Grant funds

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BID FROM RHINELANDER FOR THE TOYOTA TACOMA IN THE AMOUNT OF \$32,117.00 AND HAVE IT DELIVERED TO THE RESERVATION. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.

2. Mary Bergerson, Ojibwa Community Library Director/Amy St. Arnold, Education Director – Donation Request for Baraga Area Schools Presentation of Native American Author Joseph Bruchac on November 7 (\$1,976.00)

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE TOTAL OF THE ADDITIONAL FUNDING NEEDED TO HOST THE PRESENTATION BY JOSEPH BRUCHAC, INCLUDING A ROOM COMP AT THE OJIBWA CASINO HOTEL. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Toni J. Minton, Fred Dakota, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.

3. President Swartz –

a) Jeff Lamson Food Service New License Application

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FOOD SERVICES BUSINESS LICENSE FOR JEFF LAMSON DOING BUSINESS AS CUE MASTER. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.

b) Police Department Purchase Request for Thermal Imager/Night Vision

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE BID FROM GALLS FOR THE THERMAL IMAGER, NIGHT VISION MONOCULAR, AND SPOTLIGHT FOR \$23,491.00. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.

Elizabeth Mayo left at 9:38 a.m.

c) Donation Request for TD Safe Haven Emergency Shelter (Closed Session)

MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION AT 9:40 A.M. SUPPORTED BY CAROLE L. LAPOINTE. FIVE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Jean Jokinen), ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.

Mike LaFernier, Sr. arrived at 9:56 a.m.

Elizabeth Mayo returned at 9:58 a.m.

Elizabeth Mayo left at 10:09 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 10:14 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Break: 10:15 – 10:26 a.m.

4. Larry Denomie III, CEO – Weekly Update (not present)

I. Recognize Scheduled Delegation/Individuals:

1. Lisa Fogerty/U.S. Geological Survey PowerPoint Presentation on Water Quality and Biological Monitoring on the Yellow Dog and Salmon Trout River Watersheds to measure stream flow and estimate groundwater input, determine concentrations of selected water, assess the ecological conditions and evaluate bed-sediment quality and suspended sediment concentrations. This will be a five year plan to test the streams four times a year.

Present: Charles Brumleve, Jessica Koski, Lori Sherman, Micah Petoskey

Eddy Edwards left 10:15 – 10:35 a.m.

Mike LaFerner, Sr. left 10:24 – 10:38 a.m.

Eddy Edwards left 10:39 – 10:54 a.m.

Elizabeth Matthews left 10:55 – 11:12 a.m.

Toni Minton left at 11:13 a.m.

Donation – Crystal Geroux for TD Safe Haven Horse Rescue and Therapy (for feed) – She works with abused horses and adopts them out.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE A DONATION OF \$600.00 TO CRYSTAL GEROUX FOR THE TD SAFE HAVEN EMERGENCY SHELTER. SUPPORTED BY CAROLE L. LAPOINTE. FIVE IN FAVOR (Susan J. LaFerner, Fred Dakota, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Eddy Edwards, Jean Jokinen), ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr.), MOTION CARRIED.

J. Closed Session:

1. Jason Ayres, Realty Officer – Pequaming Property
2. Gary Loonsfoot, Jr., Language Coordinator – BMCC MOU and Language Instructor Services Agreements
3. A Letter from Vicki Dompier, Housing Manager, addressed to Geraldine Bess and Notice to Terminate Lease

MOTION MADE BY CAROLE L. LAPOINTE TO GO INTO CLOSED SESSION AT 11:27 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FOUR IN FAVOR (Susan J. LaFerner, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Fred Dakota, Eddy Edwards, Jean Jokinen), ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Toni Minton returned at 11:31 a.m.

Carole LaPointe left at 11:32 a.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 12:02 P.M. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Carole L. LaPointe), MOTION CARRIED.

Carole LaPointe returned at 12:04 p.m.

[New Business]

5. Jacki Skytta, Casinos Marketing Manager/David Haataja, Casinos General Manager/Dale Shalfoe, Baraga Casino Assistant General Manager – Snowmobile Giveaway at the Baraga/Marquette Casinos from Houghton Power Sports and Marquette Power Sports

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PURCHASE OF TWO 2013 POLARIS SNOWMOBILES IN THE AMOUNT OF \$8,001.94 EACH AND HAVE THEM DELIVERED TO THE RESERVATION. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Bay Mills Community College MOU – Modification of Memorandum of Understanding to provide Nishnaabemwin Pane Immersion Education at KBIC

MOTION MADE BY TONI J. MINTON TO APPROVE THE MODIFICATION OF MOU WITH BAY MILLS COMMUNITY COLLEGE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Language Instructor Services Agreements – to provide language immersion services

MOTION MADE BY EDDY EDWARDS TO APPROVE THE SERVICES AGREEMENTS WITH ROSE TRUDEAU AND LINDA TRUDEAU. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Pequaming Property Purchase - \$1.8 Million

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PURCHASE AGREEMENT BETWEEN THE KEWEENAW BAY INDIAN COMMUNITY AND GEORGE PETER VAN STRATEN AND LILLIAN M. VAN STRATEN IN THE AMOUNT OF \$1,800,000.00. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr., Carole L. LaPointe), TWO OPPOSED (Jean Jokinen, Elizabeth “Chiz” Matthews), ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 12:13 P.M. SUPPORTED BY JEAN JOKINEN. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Jerry Lee Curtis, Robert R.D. Curtis, Jr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist