

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MAY 13, 2010 – 9:00 A.M.

- A. Date: May 13, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:20 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President (left at 11:54 a.m.)
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary (left 1:49 – 3:00 p.m.)
Eddy Edwards, Treasurer
Jerry Lee Curtis
Fred Dakota (left at 11:54 a.m.)
Michael F. LaFernier, Sr. (arrived at 10:27 a.m.)
Gary F. Loonsfoot, Sr. (left at 2:42 p.m.)
Elizabeth D. Mayo (left at 11:54 a.m.)
Toni J. Minton (left at 2:21 p.m.)
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 13, 2010
- Addition: FYI-
1. Hannahville Nah Tah Wahsh Public School Academy Seeking Support from Michigan Tribes for Senate Bill #1014 (Revitalize Native American Languages/Culture Classes within the Public School System)
2. Jerry Jondreau Letter from MTU Andrew Burton, Associate Professor Forest Ecology Request to use Tribal Lands for Summer Research Project
3. A “Thank you” from Debbie and Brian Williams
Old Business- 2. Eddy Edwards a) Draft Donation Policy

3. Isabelle Welsh – Eagle Rock

- Deletion: New Business- 7. Jessica Koski –
- a) Rio Tinto Update
 - b) Native American Rights Fund (N.A.R.F.) Formal Request
 - c) Reconsider Meeting with Kennecott

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY WILLIAM E. EMERY. 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.

G. For Your Information:

1. Hannahville Nah Tah Wahsh Public School Academy Seeking Support from Michigan Tribes for Senate Bill #1014 (Revitalize Native American Languages/Culture Classes within the Public School System)
2. Jerry Jondreau Letter from MTU Andrew Burton, Associate Professor Forest Ecology Request to use Tribal Lands for Summer Research Project
3. A “Thank you” from Debbie and Brian Williams for a donation to purchase a stove (Debbie baked homemade bread for the Council)

H. Approval of Meeting Minutes:

1. January 14, 2010

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE JANUARY 14, 2010 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. 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.

2. January 21, 2010

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 21, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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.

I. Old Business:

1. Titling Task Force – Secured Transactions Code Discussion/Options

Present: Jennifer Misegan, Jeanne Kauppila, and John Baker

KBIC would also need a reciprocity agreement with the State of Michigan similar to the agreement on license plates with sales tax exemptions and State recognition of titles. The Tribe would need to adopt Tribal Secured Transactions Code Title 9 or adopt the State of Michigan's Secured Transactions with an MOU with the State of Michigan.

The Council scheduled the 2nd Reading for Motor Vehicle Code 2010-04 for June 5, 2010.

2. Eddy Edwards, Treasurer – Donations Work Group

- a) Draft KBIC Donation Policy Review. Council had suggestions to the draft.

Mike LaFerner, Sr. arrived at 10:27 a.m.

Break: 10:35 – 10:50 a.m.

MOTION MADE BY JERRY LEE CURTIS TO TABLE THE DONATION POLICY FOR TWO WEEKS. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, 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, ABSENT - 0, MOTION CARRIED.

3. Isabelle Welsh – Eagle Rock

Isabelle was concerned about the safety of the protestors. The Tribe's Conservation Officers are routinely checking on them. The Tribe can also ask the Marquette Sheriff for assistance in patrolling the area.

J. New Business:

1. Doreen Blaker – Resolution KB-1751-2010 regarding Tribal employees who serve as KBIC Wildland Fire Fighters, emergency or volunteer fire fighters/EMT's

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1751-2010 BEARTOWN FIRE FIGHTERS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, 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, ABSENT - 0, MOTION CARRIED.

2. Kathy Mayo, Community Health Director/Christoph Geiger, Attorney – MI Cancer Registry Project

MOTION MADE BY EDDY EDWARDS TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN KBIC, THE INTERTRIBAL COUNCIL OF MICHIGAN, THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH, AND JENNIFER JOHNSON, MPH AND APPROVE THE KBIC PRESIDENT TO SIGN THE CORRESPONDING CONFIDENTIALITY AGREEMENT. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, 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, ABSENT - 0, MOTION CARRIED.

3. Eddy Edwards, Treasurer – Resolution KB-1752-2010 Marquette 2%

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1752-2010 MARQUETTE 2%. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, 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, ABSENT - 0, MOTION CARRIED.

William Emery, Fred Dakota, Elizabeth Mayo left at 11:54 a.m.

Lunch: 11:54 a.m. – 1:11 p.m.

4. Todd Warner, NRD –
 - a) Spring Cleanup Proposal 2010 – June 7-11 L’Anse - June 14-17 Baraga

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE 2010 SPRING CLEANUP PROPOSAL IN THE ESTIMATED AMOUNT OF \$16,699.00 WITH \$4,000.00 FROM GRANT FUNDS AND THE REMAINDER FROM GENERAL FUNDS. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

- b) Parent Lake - Wild Rice Planting 2010. The MDNRE requested that an application/permit be filled out to use State land.

MOTION MADE BY EDDY EDWARDS TO PLANT THE WILD RICE IN PARENT LAKE AND NOTIFY THE STATE OF MICHIGAN THE DAY AFTER THE PLANTING OCCURS. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

- c) Wetland Inventory L'Anse Reservation Project Results with Pam Nankervis (20 minute power point presentation) on Wildlife, Plant Habitat

Elizabeth Matthews left at 1:49 p.m.

- 5. Dawn Gauthier, Commodity Foods – Fork Lift Bids (3) – Superior Equipment & Supply Co., Inc. \$20,250.00

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BID FOR A 2010 HYUNDAI FORKLIFT FROM SUPERIOR EQUIPMENT & SUPPLY CO., INC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Elizabeth “Chiz” Matthews, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

- 6. Jean Jokinen, Grant Writer – Resolution KB-1753-2010 Department of Justice Grant Cooperative Tribal Assistance Solicitation (C.T.A.S.) for (4) Projects

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1753-2010 DEPARTMENT OF JUSTICE GRANT COOPERATIVE TRIBAL ASSISTANCE SOLICITATION. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Elizabeth “Chiz” Matthews, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

K. Closed Session:

- 1. John Baker, Attorney

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 2:20 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), ONE OPPOSED (Isabelle H. Welsh), ABSTAINING - 0, FOUR ABSENT (William E. Emery, Elizabeth “Chiz” Matthews, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Toni Minton left at 2:21 p.m.

Break: 2:21 – 2:30 p.m.

Gary Loonsfoot, Sr. left at 2:42 p.m.

Elizabeth Matthews returned at 3:00 p.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 3:22 P.M. SUPPORTED BY ISABELLE H. WELSH. SIX IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

Carole LaPointe, Health Director – Dr. Arthur Schimelfenig, Ph.D., Neuro-Psychologist – Doctor’s Employment Agreement

MOTION MADE BY EDDY EDWARDS TO APPROVE THE DOCTOR’S EMPLOYMENT AGREEMENT BETWEEN KBIC AND DR. ARTHUR SCHIMELFENIG. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

Bruce LaPointe, Project Manager - Ojibwa Builders Construction Contract Approval – Partial Removal and Replace Roof Repair at Police Department Building

MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE CONSTRUCTION CONTRACT BETWEEN KBIC AND THE OJIBWA BUILDERS AND TO APPROVE A CHANGE ORDER FOR A PARTIAL RUBBER ROOF. SUPPORTED BY SUSAN J. LAFERNIER. FIVE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFERNIER, Sr.), FIVE ABSENT (William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 3:30 P.M. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist