

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
REGULAR TRIBAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
SATURDAY – SEPTEMBER 8, 2012 – 9:00 A.M.**

- A. Date: September 8, 2012
- B. Call to Order: Vice President Mayo called the meeting to order at 9:09 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Elizabeth D. Mayo, Vice President  
Susan J. LaFernier, Secretary  
Jerry Lee Curtis, Assistant Secretary  
Toni J. Minton, Treasurer  
Robert R.D. Curtis, Jr.  
Fred Dakota  
Eddy Edwards  
Jean Jokinen  
Michael F. LaFernier, Sr.  
Carole L. LaPointe  
Elizabeth “Chiz” Matthews  
Absent: Warren C. Swartz, Jr., President
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 8, 2012
- Addition: FYI- 1. Mike LaFernier, Sr. – A “Thank you” for the flowers from the Council and Cultural Committee
- Deletions: H. President’s Report/August 2012  
New Business- 2. Jean Jokinen – Invocation and Referendum Voting

**MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

G. For Your Information:

1. A “Thank you” from Mike LaFerner, Sr. for the flowers from the Council and Cultural Committee while he was in the hospital
2. A “Thank you” from the Family of Colleen DeRoche
3. A “Thank you” from the Great Lakes Recovery Centers, Inc.
4. A “Thank you” from Debbie Stabenow United States Senator
5. A “Thank you” from the Upper Great Lakes Family Health Center Partner’s in Recovery Initiative
6. A “Thank you” from the U.P. Children’s Museum
7. A “Thank you” from the Native American Rights Fund
8. Proposed Migratory Bird Hunting Regulations on Ceded Lands for the 2012-13 Season for GLIFWC Member Tribes
9. Results of the 2011 Off-Reservation Harvest (Deer, Elk, Bear) in the Ceded Territories of Michigan from Great Lakes Indian Fishing Wildlife Commission
10. Western U.P. Planning & Development Regional Commission Meeting September 17 at the American Legion Post 444 – Topic: Rio Tinto Eagle Project
11. A Letter of Sympathy on the passing of Todd Warner, KBIC Natural Resources Department Director, from the United States Environmental Protection Agency Regional Office
12. KBIC Guaranteed Loan Program Account Summary – July 10, 2012
13. Ojibwa Casino II Environmental Health and Safety Survey – June 8, 2012
14. Ojibwa Casino II Food Safety Survey – June 8, 2012
15. KBIC Head Start Safety Survey regarding recent flooding
16. Demonstration Grants for Indian Children Announcement that KBIC was not Awarded this Grant (126 applications received)
17. Diesel Fuel Bid Awarded from L’Anse Area Schools to the Pines Convenience Center
18. Notification of Approved Enrollment Applications July 31, 2012 (7) and August 27, 2012 (4)

H. Secretary’s Report/August 2012 – available for your review

**MOTION MADE BY FRED DAKOTA TO APPROVE THE AUGUST 2012 SECRETARY’S REPORT. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

Susan also wanted to thank everyone for their support and well wishes during Mike’s surgery.

I. CEO’s Report/August 2012 (Larry not present) - Sarah Maki, Assistant CEO – available for your review [also available on ojibwa.com]

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE AUGUST 2012 CEO’S REPORT. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

J. Department Head Reports – July 2012

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE JULY 2012 DEPARTMENT HEAD REPORTS. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

K. Recognize Scheduled Delegation/Individuals:

1. Jim Kurtti, Director of Finnish American Heritage Center Finlandia University/Susie Landers, Managing Director(not present)/Paul Olilla, Superintendent/President Philip Johnson of Finlandia – Finn Fest USA 2013 June 19-23, 2013

Finn Fest is a five day event that the Tribe has supported in the past. The Council will consider a donation after the budget review next week and report back to the Finn Fest committee.

L. Old Business:

1. Joe Derocha, Supervisor of Humboldt Township – Negaunee Township Property Purchase Request (1 acre could be used for signage) – The Council will consider after the budget reviews.

M. New Business:

1. Bruce LaPointe, Project Manager –
  - a) Kawbawgam Road Replacement Well Planning Agreement (Marquette County)

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE PLANNING AGREEMENT WITH INDIAN HEALTH SERVICES AND KBIC FOR THE KAWBAWGAM ROAD REPLACEMENT WELL PROJECT. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jean Jokinen), MOTION CARRIED.**

(Jean Jokinen is out of the room)

- b) Brewery-Vuk Road Water Main Extension Bids (3) - Howard Brothers, Inc. (Woodruff, WI) has the low bid of \$655,415.00

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO TABLE THE BREWERY-VUK ROAD WATER MAIN EXTENSION BIDS UNTIL INFORMATION IS PROVIDED ON PAYMENTS OWED TO KBIC. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

c) McGillan Street Road Project Over Bid Amount Request from the Village of Baraga

KBIC secured funding in the amount of \$180,000.00 from Roads Transportation Funds and there is an over bid amount of \$35,618.17 from MD Contracting (lowest bid).

The Village of Baraga will fund \$18,618.17 and requested KBIC to secure an additional \$17,000.00.

**MOTION MADE BY FRED DAKOTA TO INFORM THE VILLAGE OF BARAGA TO SUBMIT A TWO PERCENT REQUEST FOR THE MCGILLAN STREET PROJECT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

2. Toni Minton, Treasurer – September 2012 Donations – Total \$550.00

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE DONATION REQUEST FROM TERRI DENOMIE FOR THE CLYDE SWARTZ MEMORIAL SNOWMOBILE TRAIL SIGN IN THE AMOUNT OF \$250.00 AND THE REQUEST FROM THE RETIRED AND SENIOR VOLUNTEER PROGRAM FOR AN APPRECIATION DINNER IN THE AMOUNT OF \$300.00. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

3. Vice President Mayo – Jimaganish Wadokaged Liquor License Renewal

**MOTION MADE BY FRED DAKOTA TO APPROVE THE JIMAGANISH WADOKAGED LIQUOR LICENSE RENEWAL.**

Eddy Edwards requested the names of the Board Members be provided on the application

**MOTION MADE BY CAROLE L. LAPOINTE TO TABLE THE JIMAGANISH WADOKAGED LIQUOR LICENSE RENEWAL UNTIL THE APPLICATION IS COMPLETE. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

4. Susan LaFERNIER, Secretary – 1<sup>st</sup> Reading Proposed Ordinance 2012-04 - KBIC Tribal Code Title Four Juvenile Division

**MOTION MADE BY SUSAN J. LAFERNIER TO INTRODUCE PROPOSED ORDINANCE 2012-04 KBIC TRIBAL CODE TITLE FOUR JUVENILE DIVISION AND WAIVE THE 1<sup>ST</sup> READING, THIRTY-TWO PAGES, AND HOLD THE 2<sup>ND</sup> READING ON SEPTEMBER 20, 2012. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

N. Closed Session:

1. Carole LaPointe, Health Director – Tribal Health Fund (moved to Open Session)

Tribal Health Fund (THF) Request for additional funding –

**MOTION MADE BY EDDY EDWARDS TO APPROVE AN ADDITIONAL \$125,000.00 TRANSFERRED FROM THE GENERAL FUND TO THE TRIBAL HEALTH FUND. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

O. Adjournment:

**MOTION MADE BY FRED DAKOTA TO ADJOURN AT 10:28 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist