

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR TRIBAL COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**SATURDAY – AUGUST 4, 2012 – 9:00 A.M.**

- A. Date: August 4, 2012
- B. Call to Order: Vice President Mayo called the meeting to order at 9:20 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (arrived at 9:28 a.m.)  
Elizabeth D. Mayo, Vice President  
Susan J. LaFernier, Secretary  
Robert R.D. Curtis, Jr. (left at 10:49 a.m.)  
Fred Dakota  
Eddy Edwards (left at 10:49 a.m.)  
Jean Jokinen  
Michael F. LaFernier, Sr.  
Carole L. LaPointe  
Elizabeth “Chiz” Matthews (arrived at 9:55 a.m.)  
Absent: Jerry Lee Curtis, Assistant Secretary  
Toni J. Minton, Treasurer
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 4, 2012
- Deletions: Recognize Scheduled Delegation/Individuals- 4. Ron Edwards – (Reschedule) Side Track Bar State Liquor License
- Old Business- 1. Susan LaFernier, Secretary – 3<sup>rd</sup> Reading of Proposed Tribal Enterprise Corporation Code Title 27 Chapter B 2012-01 Amendments (Reschedule)
- New Business- 6. Jerry Lee Curtis – a) Powwow Arena Grounds Repair  
b) Policy Review waiver for singing/drumming at Pow Wow Grounds

**MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE DELETIONS. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

G. For Your Information:

1. A “Thank you” from Dustin Teikari
2. A “Thank you” from Sierra Ayres
3. A “Thank you” from Nancy Pawlowski
4. A “Thank you” from Gary McDowell
5. A “Thank you” from Deena Misegan
6. A “Thank you” from the Natural Resources Department Staff involved in the Kids Fishing Derby
7. A “Thank you” from Great Lakes Center for Youth Development
8. A “Thank you” from Omega House
9. A Letter from Marilyn Abbott and Patricia Bawden – Flea Market at proposed Marquette Gas Station
10. Native American Housing Conference – September 13-14, 2012
11. EPA Hearing on Wetlands Fill Permit Application for County Road 595-Marquette County Road Commission
12. Memorandum from Heather Chapman, Assistant Tribal Attorney – Judge Bell’s Decision on Huron Mt. Club vs. U.S. Army Corps of Engineers which denied Huron Mountain Club’s request for a preliminary injunction against Kennecott Eagle Minerals to stop mining operations at the Eagle Mine before trial

**President Swartz arrived at 9:28 a.m.**

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

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JULY 2012 SECRETARY’S REPORT. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Toni J. Minton, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

I. CEO’s Report/June-July 2012 – available for your review – [also available on ojibwa.com]

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JULY 2012 CEO’S REPORT. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Toni J. Minton, Elizabeth “Chiz” Matthews), MOTION CARRIED.**

**Elizabeth Matthews arrived at 9:55 a.m.**

J. President's Report/July 2012 – verbal report

**MOTION MADE BY FRED DAKOTA TO APPROVE THE JULY 2012 PRESIDENT'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, 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, TWO ABSENT (Jerry Lee Curtis, Toni J. Minton), MOTION CARRIED.**

K. Department Head Reports – June 2012

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JUNE 2012 DEPARTMENT HEAD REPORTS. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, 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, TWO ABSENT (Jerry Lee Curtis, Toni J. Minton), MOTION CARRIED.**

L. Recognize Scheduled Delegation/Individuals:

1. Joe Kirkish – Filming a Documentary on the Reservation
2. Brenda Jackman – Ontonagon Members Group Request for Consideration of Distributions from the Tobacco Ordinance, Elders Assistance Amendment, and Voting
3. Danishia Slade – Parade of Nations Donation Request for \$1,000.00

ELIZABETH "CHIZ" MATTHEWS SUGGESTED TABLING THIS DONATION REQUEST UNTIL CLOSED SESSION.

**Eddy Edwards and R.D. Curtis left at 10:49 a.m.**

**Break: 10:49 – 11:01 a.m.**

M. New Business:

1. President Swartz –
  - a) The remaining August 2012 Donations will be considered at Thursday's meeting

Canonization Mass for the first Native American to be declared a saint – Kateri Tekakaitha

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE A DONATION OF \$400.00 PER PERSON FOR THE TRIBAL MEMBERS TRAVELING TO ROME AND A TRIBAL FLAG. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

- b) Joseph O’Leary Law Office Retainer Agreement to draft a new Chapter 7 of Title 10 Tribal Code to include laws and regulations regarding farming operations

**MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE LAW OFFICE RETAINER AGREEMENT WITH JOSEPH O’LEARY. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

- c) Request to move September 1 meeting to September 8, 2012

**MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE SEPTEMBER 1<sup>ST</sup> MEETING TO SEPTEMBER 8, 2012. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

2. Carole LaPointe, Health Director –

- a) I.T.C. Memorandum of Cooperative Agreement for Implementation of Healthy Start Program “Maaajtaag Mnobmaadzid” (no action)
- b) Public Health Emergency Preparedness Grant Agreement with Michigan Department of Community Health with a match of \$2,134.00

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

- c) Catalyst Rx Pharmacy Network Agreement – Pharmacy Benefit Management manages prescription drug benefit plans and arranges for prescription and claim processing services

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE PHARMACY BENEFIT MANAGEMENT PHARMACY NETWORK AGREEMENT BETWEEN CATALYST RX AND KBIC PHARMACY. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

3. Larry Denomie III, CEO – CNAP Budget Modification

Community Needs Assistance Program (CNAP) Budget Modification Request – \$200,000.00 was budgeted for medical and non-medical funding and is near depletion, an additional \$40,000.00 is needed for the fiscal year

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE BUDGET MODIFICATION TO THE CNAP PROGRAM. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

4. Evelyn Ravindran –

- a) Approval of a contract amendment to Fischer Biological Consulting LLC Consultant Agreement to assist in changes to reduce water use in the cold water hatchery facility

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE THIRD AMENDMENT OF THE FISCHER BIOLOGICAL CONSULTING LLC CONSULTANT AGREEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

- b) Hatchery Head Tank Enclosure Structure- Selection of a bid and approval of a Construction contract (1) bid/2 declined

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE BID AND CONSTRUCTION AGREEMENT FOR THE HATCHERY HEAD TANK ENCLOSURE STRUCTURE PROPOSAL FROM DAVID WHITMAN FOR \$19,567.00. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

5. Marty Curtis (Not present) – Security Camera Bid approval for New Day Treatment Center

**MOTION MADE BY JEAN JOKINEN TO APPROVE THE SOUTH SHORE SERVICES INC. BID IN THE AMOUNT OF \$6,783.50 FOR THE INSTALLATION OF A SURVEILLANCE SYSTEM AT THE NEW DAY TREATMENT CENTER. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 11:18 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR.

N. Closed Session:

1. Parade of Nations Donation Request

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 11:19 A.M. SUPPORTED BY CAROLE L. LAPOINTE. FIVE IN FAVOR (Susan J. LaFernier, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 11:24 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

O. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 11:26 A.M. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton (for Kim Klopstein)  
Administrative Specialist