

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
FINANCE/SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – SEPTEMBER 13, 2012 – 9:00 A.M.

- A. Date: September 13, 2012
- B. Call to Order: President Swartz called the meeting to order at 9:17 a.m. – Council received Ground Coffee from the Finn Fest Committee
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Jerry Lee Curtis, Assistant Secretary (arrived at 9:38 a.m.)
Toni J. Minton, Treasurer (left at 12:15 p.m.)
Robert R.D. Curtis, Jr.
Eddy Edwards (arrived at 9:37 a.m.)
Jean Jokinen
Michael F. LaFernier, Sr. (arrived at 11:08 a.m.)
Carole L. LaPointe
Elizabeth “Chiz” Matthews (arrived at 9:55 a.m., left at 2:36 p.m.)
- Absent: Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 13, 2012
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| Deletion: | Closed Session- | 1. Budget Review – c) Bruce LaPointe, Department of Public Works |
| Additions: | Old Business- | 2. Pauline Spruce, Personnel Director – Tribal Attorney Job Description Review |
| | New Business- | 5. President Swartz – Schedule TERO Hearing |

- Closed Session-
2. Pauline Spruce, Personnel Director – Natural Resources Director Applicants
 1. Budget Review – c) Budget Item on Land Update
 3. President Swartz – Connie Sue Martin Contract

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

G. Old Business:

1. President Swartz - Jimaganish Wadokaged (Warrior Helper) Liquor License Renewal (Tabled on 9/8/12)

The Board of Directors consists of Fred Dakota, Rick Geroux, Michael LaFernier, Sr., Warren C. Swartz, Jr., Joseph O’Leary, Wayne Swartz, Jim Sheldon, and Paul Maki.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE RENEWAL LIQUOR LICENSE FOR JIMAGANISH WADOKAGED AND WAIVE THE FEE. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe), OPPOSED – 0, ABSTAINING - 0, FIVE ABSENT (Jerry Lee Curtis, Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

2. Pauline Spruce, Personnel Director – Tribal Attorney Position Announcement (Job Description Review) [approved changes on 9/5/12]

Eddy Edwards arrived at 9:37 a.m.

Jerry Lee Curtis arrived at 9:38 a.m.

H. New Business:

1. Bruce LaPointe, Project Manager/Public Works Director – Brewery-Vuk Road Water Main Extension Bids (3) from the 9/8/12 meeting

Bruce provided an email from Brian Willoughby stating the bill owed to Tribal Construction Company is from Howard Brothers. They were subcontracted from Lakeland Enterprises for a pump house nine years ago.

The Council stated there is outstanding debt in every department and the Department Heads have a responsibility to start the collection process of any debt owed to their department.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE BID FROM HOWARD BROTHERS INC. FOR THE BREWERY VUK ROAD WATER MAIN EXTENSION PROJECT. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

2. Sarah Maki, Assistant CEO - BIA Contract Support Cost Claim’s 2006-2012

Elizabeth Matthews arrived at 9:55 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO MOVE FORWARD WITH SUBMITTING THE BIA CONTRACT SUPPORT COST CLAIM AND WORKING WITH DORSEY AND WHITNEY FROM 2006 AND FORWARD. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe), OPPOSED – 0, ONE ABSTAINING (Elizabeth “Chiz” Matthews), TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. President Swartz-

- a) Ron and Katie Edwards (New) Liquor License for Edwards 8 LLC (Side Track Bar)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE LIQUOR LICENSE FOR RON AND KATIE EDWARDS FOR THE SIDE TRACK BAR FOR SALE OF ALCOHOL ON AND OFF PREMISES. SUPPORTED BY CAROLE L. LAPOINTE. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

- b) Ron and Katie Edwards (New) Business License for KB Taco

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE BUSINESS LICENSE OF KB TACO FOR RON AND KATIE EDWARDS UPON PAYMENT OF THE LICENSE FEE. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

- c) Ron and Katie Edwards (New) License to Purchase and Sell Taxed Tobacco Products for Edwards 8 LLC

MOTION MADE BY TONI J. MINTON TO APPROVE THE TOBACCO LICENSE OF EDWARDS 8 LLC FOR RON AND KATIE EDWARDS PENDING PAYMENT OF THE LICENSE FEE. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

- d) Edward Gray Donation Request for his Wife’s (Leslie P. Gray) Funeral Expenses

MOTION MADE BY ELIZABETH D. MAYO TO DENY THE REQUEST OF EDWARD GRAY. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

Break: 10:11 – 10:22 a.m.

- 4. Susan LaFernier, Secretary –

- a) 1st Reading Title Five of the Tribal Code Adoptions Proposed Ordinance 2012-05

President Swartz read the Legislative Process.

MOTION MADE BY SUSAN J. LAFERNIER TO INTRODUCE THE PROPOSED ORDINANCE 2012-05 TITLE FIVE OF THE TRIBAL CODE ADOPTIONS AND WAIVE THE FIRST READING AND SCHEDULE THE SECOND READING FOR SEPTEMBER 27, 2012. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

- b) 1st Reading Title Six of the Tribal Code Proposed Guardians and Conservators Ordinance 2012-06

MOTION MADE BY SUSAN J. LAFERNIER TO INTRODUCE THE PROPOSED ORDINANCE 2012-06 TITLE SIX OF THE TRIBAL CODE GUARDIANS AND CONSERVATORS AND WAIVE THE FIRST READING AND SCHEDULE THE SECOND READING FOR SEPTEMBER 27, 2012. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

5. President Swartz - Schedule TERO Hearing – It is a grievance against the Hiring Committee and is scheduled for September 27, 2012 at 11:00 a.m.

I. Closed Session:

1. Budget Reviews – (Open to KBIC Members)
 - a) Cheryne Clements, Fitness/Youth Program
 - b) Sarah Maki, Natural Resources Department
 - c) Budget Item on Land Update
2. Pauline Spruce, Personnel Director – Natural Resources Director Applicants
3. President Swartz – Connie Sue Martin Contract

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 10:54 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Eddy Edwards, Carole L. LaPointe), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Break: 10:57 – 11:08 a.m.

Mike LaFERNIER, Sr. arrived at 11:08 a.m.

Lunch: 12:15 – 1:27 p.m. (Toni Minton left at lunch break)

Elizabeth Matthews left at 2:36 p.m.

Break: 2:51 – 3:01 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 3:18 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Elizabeth “Chiz” Matthews), MOTION CARRIED.

J. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:19 P.M. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Elizabeth “Chiz” Matthews), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist