

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – OCTOBER 6, 2012 – 10:00 A.M.**

- A. Date: October 6, 2012
- B. Call to Order: President Swartz called the meeting to order at 10:07 a.m.
- 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
Toni J. Minton, Treasurer
Robert R.D. Curtis, Jr.
Fred Dakota
Jean Jokinen (arrived at 10:15 a.m.)
Michael F. LaFernier, Sr.
Carole L. LaPointe
Elizabeth “Chiz” Matthews (arrived at 10:20 a.m.)
Absent: Eddy Edwards
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 6, 2012

Addition: FYI- 5. President Swartz – Registered Voter List

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

G. For Your Information:

1. A “Thank you” from the National Kidney Foundation Kidney Walk - Team Chip’s Ahoy

2. An update of the Indian Land Consolidation Program activities on the L'Anse Reservation for the 3rd quarter of the 2012 fiscal year
3. A "Notice of Award" from EPA for the Tribal Clean Water Act Section 106 Program Grant
4. Notification of Approved Enrollment Applications (7) October 4, 2012
5. Registered Voter List

Jean Jokinen arrived at 10:15 a.m.

H. President's Report/September 2012 – Verbal Report

Elizabeth Matthews arrived at 10:20 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SEPTEMBER 2012 PRESIDENT'S REPORT. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

I. Secretary's Report/September 2012 – available for your review

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SEPTEMBER 2012 SECRETARY'S REPORT. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

J. Treasurer's Report/September 2012 – Verbal Report

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE SEPTEMBER 2012 TREASURER'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

K. CEO's Report/September 2012 – available for your review [also available on ojibwa.com]

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE SEPTEMBER 2012 CEO'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

L. Department Head Reports – August 2012

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

Mike LaFernier, Sr. stated his opposition: He is opposed because they are not all turned in.

M. Recognize Scheduled Delegation/Individuals:

1. Pat Brown (not present) – Marquette Seniors Christmas Party - \$2,500.00 (same as last year)
2. April Lindala, NMU/Martin Reinhardt, NMU – CNAS Decolonizing Diet Project Update
3. Sandy Carlson – Christmas Check concerns – The guidelines were reviewed.
4. Glen Bressette, Sr. – Donation request to replace Bingo machine for the D.J. Jacobetti Home for Veteran’s

MOTION MADE BY FRED DAKOTA TO APPROVE A DONATION OF UP TO \$5,000.00 FOR A BINGO MACHINE AND DISPLAY BOARD. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

5. Geraldine Bess – Ojibwa Housing concerns – Geraldine is trying to get a house from the Ojibwa Housing Authority and claims she cannot get any help. She would like to be placed in a handicap accessible house. President Swartz will look into this.

Break: 11:49 a.m. – 12:00 p.m.

President Swartz recognized the students from Northern Michigan University in attendance. (Violet Ayres’ Tribal Government Class)

N. Old Business:

1. Susan LaFernier-
 - a) 3rd Reading KBIC Tribal Code Title Five - Adoptions Proposed Ordinance 2012-05

President Swartz read the Legislative Process.

MOTION MADE BY SUSAN J. LAFERNIER TO ADOPT PROPOSED ORDINANCE TITLE FIVE ADOPTIONS 2012-05. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Carole L. LaPointe), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

b) 3rd Reading KBIC Tribal Code Title Six – Guardians and Conservators Proposed Ordinance 2012-06

Susan had one Amendment to 6.302 Powers and Duties of Tribal Social Services Upon Appointment of a Guardian in Title IV-E Eligible Cases: D. - In every Title IV-E eligible case the Court shall hold a review hearing - Change from every 90 days to "within 90 days of any prior hearing" to review the status of the placement and the progress of the case plan.

MOTION MADE BY SUSAN J. LAFERNIER TO ADOPT AND APPROVE THE AMENDMENT TO 6.302 D. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

MOTION MADE BY SUSAN J. LAFERNIER TO ADOPT PROPOSED ORDINANCE 2012-06 TITLE SIX GUARDIANS AND CONSERVATORS. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

At this point in the meeting Jean Jokinen stated to Geraldine Bess that her niece was in a similar situation and was disabled and had to leave housing. She stated Eddy is governed by the Housing Board and Federal guidelines and that he is a fair man.

O. New Business:

1. Diana Chaudier, Election Board Chair – Approval of 2012 Primary Election Candidates

Baraga District: Michael W. Cardinal, Thomas E. Chosa, Jr., Jerry Lee Curtis, Robert A. Ellsworth, Virginia A. Jermac, Gary F. Loonsfoot, Sr., Donald B. Messer, Jr., and Warren C. Swartz, Jr.

L'Anse District: Edward M. Edwards, Lyndon A. Ekdahl, William E. Emery, Charles W. Gauthier, David J. Haataja, Gerald P. Jondreau, Susan J. LaFernier, and Jennifer S. Misegan.

Chief Judge: Bradley T. Dakota

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TRIBAL COUNCIL AND CHIEF JUDGE CANDIDATES AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Elizabeth D. Mayo, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFernier, Jerry Lee Curtis), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Diana announced the Chief Judge position will only appear on the General Election Ballot as there is only one candidate.

2. Robert R.D. Curtis, Jr., Outpatient Substance Abuse Program – Jason Nichols presentation of "Smoke" on November 9-10, 2012 at the OCC Gym

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AGREEMENT WITH JASON NICHOLS IN THE AMOUNT OF \$10,000.00 CONTINGENT UPON THE REVIEW OF THE SERVICES AGREEMENT FROM THE ATTORNEY'S OFFICE. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Carrie Ashbrook asked if the Marquette kids could be included for the event. R.D. Curtis will work on including them in the event.

3. President Swartz – Debra Parrish Business License Application renewal

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE BUSINESS LICENSE RENEWAL APPLICATION FOR KEWEENAW KUSTOMS AND KWIK LUBE LLC FOR DEBRA PARRISH. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Jean Jokinen stated she would like to see the fee waived. She believes it is a tax.

President Swartz replied it is not a tax, it is a fee.

4. Toni Minton, Treasurer – October 2012 Donations

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE OCTOBER 2012 DONATIONS AS THE FOLLOWING: \$500.00 TO THE BAY CLIFF HEALTH CAMP, \$5,000.00 TO THE MARINE CORPS LEAGUE TOYS FOR TOTS IN BARAGA COUNTY, AND \$5,000.00 TO THE DEMOCRATIC PARTY OF MICHIGAN 21ST CENTURY FUND. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

P. Closed Session:

1. Sandy Carlson – Christmas Check concerns

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 12:43 P.M. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 1:10 P.M. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Q. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 1:12 P.M. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Respectfully submitted,

Peggy Minton (for Kim Klopstein)
Administrative Specialist