

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – APRIL 21, 2011 – 9:00 A.M.**

- A. Date: April 21, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord’s Prayer and an Ojibwe prayer by Dale Shalifoe
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
William E. Emery, Vice President  
Susan J. LaFerner, Secretary  
Toni J. Minton, Assistant Secretary  
Eddy Edwards, Treasurer (arrived at 9:45 a.m.)  
Fred Dakota  
Michael F. LaFerner, Sr.  
Gary F. Loonsfoot, Sr.  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo  
Isabelle Helene Welsh (arrived at 9:13 a.m.)  
Absent: Jerry Lee Curtis
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: April 21, 2011
- |            |                                |   |
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| Additions: | Old Business-<br>New Business- | 3. Mike LaFerner, Sr. – Flags<br>3. President Swartz/Tom Chosa –<br>Crew Vans |
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**MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Eddy Edwards, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.**

G. For Your Information:

President Swartz announced a Green Film Festival at MTU tonight 7:00 – 8:30 p.m. The discussion facilitator is Chuck Brumleve, Environmental Mining Specialist

**Isabelle Welsh arrived at 9:13 a.m.**

1. Voigt Intertribal Task Force Meeting Minutes March 3, 2011 – Watersmeet, MI
2. GLIFWC Final Report/Declaration of Tribal Harvest Quotas for Walleye and Muskellunge Wisconsin Ceded Territories
3. Tribal Maintenance Building Survey Report – March 14, 2011
4. Red Apple Family Restaurant Resurvey Report – March 17, 2011
5. Tribal Construction Building Survey Report – March 14, 2011
6. SAP Outpatient Facility Survey Report – March 16, 2011
7. CEO Report on Tours of Tribally Operated Transfer Stations – Bad River Tribe, Fond du Lac Tribe, and Carlton County – Larry would like to see the Tribe follow Bad River’s operation which also has a recycling center

H. Approval of Meeting Minutes:

1. September 2, 2010

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SEPTEMBER 2, 2010 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

2. September 8, 2010

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SEPTEMBER 8, 2010 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

3. September 9, 2010

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SEPTEMBER 9, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

4. September 10, 2010

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SEPTEMBER 10, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

5. September 11, 2010

**MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE SEPTEMBER 11, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

I. Old Business:

1. Dale Shalifoe, Executive Gaming Director – Promotional Activities TICS Final Approval Request using lotteries, raffles, and other similar games. The Gaming Commission will approve all promotional activities.

**Eddy Edwards arrived at 9:45 a.m.**

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE PROMOTIONAL ACTIVITIES TICS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Susan J. LaFernier, Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

**Break: 9:58 – 10:05 a.m.**

2. Isabelle Welsh/Heather Chapman – 3<sup>rd</sup> Reading Proposed SORNA Ordinance 2011-01 – Title Three Criminal Offenses and Penalties add: Chapters 3.19 Criminal Sexual Conduct and 3.20 Sex Offender Registration Code - Substitute (Sexual Offender Registration and Notification Act)

**MOTION MADE BY ISABELLE H. WELSH TO ADOPT THE PROPOSED SUBSTITUTE SORNA ORDINANCE 2011-01. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

**MOTION MADE BY ELIZABETH D. MAYO TO ADOPT THE PROPOSED SORNA ORDINANCE 2011-01. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

3. Mike LaFernier, Sr. - Flags

Mike requested permission to replace the Tribal Flag at the Pinery Cemetery. President Swartz granted the request and will provide him with a flag and will designate who will be responsible for lowering and raising flags and taking care of old flags.

J. New Business:

1. Will Wiggins, Fuels Specialist/BIA Fire Management Office – Prescribed Burn Plan/Baraga Burn Unit 100 acres Zeba Burn Unit 52 acres

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PRESCRIBED BURN PLAN FOR THE BARAGA AND ZEBU UNITS AS DESCRIBED. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

2. President Swartz/Tom Chosa/Will Wiggins – Crew Vans (2) and Radio Equipment (2) from Albuquerque, NM for the fire fighters

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE PURCHASE OF TWO CREW CARRIERS IN THE AMOUNT OF \$14,000.00 AND TO INCLUDE EQUIPMENT IN THE AMOUNT OF \$2,800.00. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

3. Todd Warner, NRD –
  - a) Spring Cleanup 2011 – The Council would like to have both the drop off service and the curbside pickup.

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE \$16,000.00 FOR THE SPRING CLEANUP 2011 AND TO SUBCONTRACT WITH THE OJIBWA HOUSING AUTHORITY FOR PICKUP. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

Todd will bring the plan with dates back to Council once it is complete.

- b) Service Agreement Review for Lake Superior Tree Farms, Inc. for landscaping, planting, and irrigation work for the Sand Point habitat restoration on approximately 34 acres

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE SERVICES AGREEMENT WITH LAKE SUPERIOR TREE FARMS, INC. IN THE AMOUNT OF \$248,977.25. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

K. Closed Session:

- 1. John Baker, Attorney
- 2. Pauline Spruce, Personnel Director – Reclassification for Grant Writer and Grant Specialist

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:00 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

**Break: 11:01 – 11:10 a.m.**

**MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 12:00 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

Edmund Janisse Employment Agreement – General Manager/Radio Stations

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE EMPLOYMENT AGREEMENT BETWEEN KBIC AND EDMUND JANISSE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), TWO OPPOSED (Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

Jean Jokinen Grade Increase –

**MOTION MADE BY ISABELLE H. WELSH TO APPROVE JEAN JOKINEN AT A GRADE 12 WITH A STARTING WAGE OF \$22.89. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 12:05 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist