

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – APRIL 12, 2012 – 9:00 A.M.**

A. Date: April 12, 2012

B. Call to Order: President Swartz called the meeting to order at 9:08 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 (arrived at 9:12 a.m.)
Toni J. Minton, Treasurer (arrived at 9:26 a.m.)
Robert R.D. Curtis, Jr.
Fred Dakota
Eddy Edwards (left at 2:26 p.m.)
Jean Jokinen
Michael F. LaFernier, Sr.
Elizabeth "Chiz" Matthews

Absent: Carole L. LaPointe

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: April 12, 2012

Deletion: Old Business- 3. George Decota, Fire Prevention Technician/Fire Fighting Committee - Director of Fire Management Position Announcement (Reschedule)

Jerry Lee Curtis arrived at 9:12 a.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA WITH THE DELETION AND RESCHEDULE THE FIRE MANAGEMENT DIRECTOR POSITION DISCUSSION WITH THE FIRE FIGHTING COMMITTEE. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Carole L. LaPointe), MOTION CARRIED.

G. Approval of Meeting Minutes:

1. June 30, 2011

MOTION MADE BY EDDY EDWARDS TO APPROVE THE JUNE 30, 2011 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Jean Jokinen), TWO ABSENT (Toni J. Minton, Carole L. LaPointe), MOTION CARRIED.

2. July 7, 2011

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE JULY 7, 2011 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Jean Jokinen), TWO ABSENT (Toni J. Minton, Carole L. LaPointe), MOTION CARRIED.

H. Old Business:

1. Jacqueline Swartz – OPREVENT Quarterly Progress Report January, February, March 2012 (FYI)

The OPREVENT project aims to prevent obesity and diabetes among Native Americans of the Keweenaw Bay Indian Community and the Hannahville Indian Community.

2. Tom Verboczki – Request for Waiver of Criminal Record for Employment Purposes

Present: Jacqueline Swartz, Hiring Committee Chair/Brigitte LaPointe, TERO Director/Pauline Spruce, Personnel Director

Toni Minton arrived at 9:26 a.m.

Mr. Verboczki stated he was led to believe that he would be given the opportunity to apply and be considered (interviewed) for the New Day Admissions Intake position or New Day Unit Manager position. He did apply but did not receive any response after many visits here.

Jacqueline and Chris Swartz stated Tom did not meet the employment qualifications or security background clearance. She suggested he apply for Maintenance positions or positions that do not require the security background clearance.

Break: 9:48 – 10:01 a.m.

I. New Business:

1. Janice Shalifoe/Nancy Shalifoe/Peggie Shelifoe – Pavilion/Camping Fee Waiver Request from Cynthia Curtis

MOTION MADE BY ELIZABETH D. MAYO TO WAIVE THE CAMPING AND PAVILION FEES FOR THE WOMEN'S GATHERING TO BE HELD MAY 31 THROUGH JUNE 4, 2012. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Elizabeth "Chiz" Matthews), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

2. Ruth Keller, Healthy Start Coordinator – Maternal Infant Health Program (MIHP) Gas Voucher

The program will initially serve the top 20 high risk clients who will receive gas vouchers for medical appointments. The money will come from Third Party and will be reimbursed from the State of Michigan through Medicaid.

Ruth stated seven out of ten women in her program are drug addicted. She would like to see a substance abuse treatment program for these pregnant women. There is no protection for the unborn infant.

Susan LaFernier stated the Drug Task Force has requested Heather Chapman, Assistant Attorney, to research this very topic; to protect the unborn infant.

The Council consensus is for Ruth to move forward with the project.

3. Bruce LaPointe, Project Manager – Public Works Department Loader Backhoe Bids (3)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PURCHASE OF A FABCO CAT 420 EIT, WHEN THE FUNDS ARE AVAILABLE, IN THE AMOUNT OF \$91,400.00 AND LEASE TO THE PUBLIC WORKS DEPARTMENT FOR A PERIOD OF SIX YEARS. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Elizabeth "Chiz" Matthews), THREE OPPOSED (Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

4. Liana Loonsfoot, Weed & Seed Coordinator/Dale Dakota, Police Commissioner – Donation to MTU AISES Conference Youth Component April 13, 2012

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE DONATION TOWARDS THE AISES CONFERENCE AND POWWOW IN THE AMOUNT OF \$10,450.00 FROM THE WEED AND SEED PROGRAM. 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, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

5. Susan LaFernier, Secretary – Schedule Enterprise Employee Grievance Hearing Case #006-12

The hearing is scheduled for April 19, 2012 at 11:00 a.m.

J. Closed Session:

1. Todd Warner, Natural Resource Director –
 - a) Joseph Dowd Proposed Cultural Consultant Assistance Services Agreement
 - b) USFWS Fish Health Services Agreement
2. Kristin Belair, Child Support Director – DNA Diagnostic Center, Inc. Services Agreement
3. Lori LaFernier – SNB Guaranteed Loan
4. Gregg Nominelli, Economic Developer – Gas Cost Analysis Comparison
5. Larry Denomie III, CEO – Eagle Radio General Manager Employment Agreement Renewal
6. President Swartz – Request for Waiver of Criminal Record for Employment Purposes as a fire fighter

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:44 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), FOUR OPPOSED (Elizabeth D. Mayo, Fred Dakota, Eddy Edwards, Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

Break: 10:45 – 10:55 a.m.

Lunch: 11:56 a.m. – 1:03 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 2:20 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

Joseph A. Dowd (Cultural) Consultant Agreement – March 2012 – August 2014

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE CULTURAL CONSULTANT AGREEMENT WITH JOSEPH A. DOWD FOR THE ANA WILDLIFE MANAGEMENT PLAN PHASE II GRANT PROJECT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

(Eddy Edwards is out of the room)

MOTION MADE BY ELIZABETH D. MAYO TO REQUEST AN EXTENSION OF ICDBG GRANT MONIES FOR THE MARQUETTE GAS STATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

USFWS Fish Health Services Agreement – (2) Fish Health Inspections/Other

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE U.S. FISH AND WILDLIFE SERVICES AGREEMENT FOR THE FISH HEALTH SERVICES. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

DNA Diagnostics Center, Inc. Services Agreement -

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE DNA DIAGNOSTIC CENTER, INC. SERVICES AGREEMENT TO PROVIDE PATERNITY TESTING SERVICES. 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, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

Eagle Radio General Manager Employment Agreement Renewal -

MOTION MADE BY JEAN JOKINEN NOT TO RENEW THE EAGLE RADIO GENERAL MANAGER EMPLOYMENT AGREEMENT WITH ED JANISSE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS.

MOTION MADE BY TONI J. MINTON TO TABLE THE EAGLE RADIO GENERAL MANAGER EMPLOYMENT AGREEMENT RENEWAL WITH ED JANISSE UNTIL THE ISSUES ARE REVIEWED WITH HIM. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN 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.), THREE OPPOSED (Eddy Edwards, Jean Jokinen, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (Carole L. LaPointe), MOTION CARRIED.

Eddy Edwards left at 2:26 p.m.

K. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:27 P.M. SUPPORTED BY JEAN JOKINEN. 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, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist