

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MARCH 17, 2011 – 9:00 A.M.**

- A. Date: March 17, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:05 a.m.
- C. Invocation: Lord’s Prayer and prayers for Colleen DeRoche’s grandson
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis (arrived at 9:17 a.m., left 9:50 a.m. – 3:05 p.m.)
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 9:28 a.m.)
Gary F. Loonsfoot, Sr. (left at 2:42 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (left at 3:00 p.m.)
- Absent: Susan J. LaFernier, Secretary
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 17, 2011
- | | | |
|------------|---------------|--|
| Deletion: | Old Business- | 4. a) Clarification on Police Commissioner |
| Additions: | Old Business- | 6. Isabelle Welsh – Even Start Move |
| | New Business- | 6. Fred Dakota – Seniors Oven Request |
- Move:
- FYI 4. Memo Regarding Error and Correction in Allocation of Funds to Old Business 5.
Closed Session 1., 3., 4. Services Agreements to New Business 7., 8., 9.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. 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), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.

G. For Your Information:

1. Vincent Rose, Employee Benefits Agency Inc. Agent – Commission Income
2. Ojibwa Casino Marquette Food Sanitation Survey by Scott Daly, DHHS Environmental Health Officer
3. VOIGT Intertribal Task Force Meeting Minutes 2/3/11 Lac Du Flambeau, WI

Jerry Lee Curtis arrived at 9:17 a.m.

H. Recognize Scheduled Delegation/Individuals:

1. Pam Queoff, M3 Insurance Agent/Broker – Annual Stewardship Report

Francis (Hosh) LaPointe also present.

Pam reported a large loss at the hatchery at approximately \$100,000.00. She also informed the Council that tank liability is needed for the gas tanks.

Mike LaFerner, Sr. arrived at 9:28 a.m.

Jerry Lee Curtis left at 9:50 a.m.

I. Old Business:

1. Eddy Edwards, Treasurer/Don Messer –
 - a) DaShack Liquor License – Federal law states that Tribes have to comply with State liquor laws. DaShack would be able to sell carry-out, but not on premises consumptions. The Council would like the issue of what is considered a school building brought to the next meeting.
 - b) Resolution KB-1809-2011 Liquor Licenses – passed March 3, 2011

Break: 10:20 – 10:35 a.m.

2. Dale Shalifoe, Executive Director of Gaming Commission/Jennifer Misegan, Gaming Commissioner/David Haataja, Marquette Casino General Manager/Robert Mudd, Baraga Casino General Manager/Conrad LaPlante, Baraga Casino Surveillance Supervisor/Pat Mager, Marquette Casino Surveillance Supervisor – Organizational Chart Amendment for Surveillance Department

The Gaming Commission would like the Surveillance Department to report to the Commission rather than the General Managers. The way it is organized now leaves too many departments under one person. (The General Managers). It is a regulatory function and that is the Gaming Commission's job to regulate.

David Haataja doesn't believe it's a good idea because he uses surveillance as a tool for management. It was stated that ability will still be available to him. The General Managers will still have that access and there are no changes in that area.

MOTION MADE BY WILLIAM E. EMERY TO KEEP THE SURVEILLANCE REPORTING AS IS, UNDER THE GENERAL MANAGERS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), FOUR OPPOSED (Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

3. Bruce LaPointe, Project Manager –

- a) SEMCO Gas Line Additional Extension – Dynamite Hill, Vuk, and Brewery Road Quotes
- b) Baraga County Road Commission Cooperative Agreement Modification #1
- c) Baraga County Road Commission Cooperative Agreement Modification #4

MOTION MADE BY EDDY EDWARDS TO TABLE BRUCE LAPOINTE'S ITEMS UNTIL NEXT WEEK. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (William E. Emery, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), THREE OPPOSED (Toni J. Minton, Elizabeth "Chiz" Matthews, Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

[New Business]

- 1. Jason Ayres, Realty Officer – Resolution KB-1816-2011 John T. Mayo and Joshua J. Mayo Residential Lease Modification to include Provision No. 25

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1816-2011 JOHN T. MAYO RESIDENTIAL LEASE MODIFICATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Susan J. LaFernier, Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

(Isabelle Welsh is out of the room)

[Old Business]

4. Larry Denomie III, CEO – Clarification on Wage for GIS Position – The Council consensus was to leave the wage at the minimum – Grade 10
5. Sarah Maki, Assistant CEO – Memo Regarding Error and Correction in Allocation of Funds

[New Business]

2. Cynthia Curtis [Not present]/Peggy Shelifoe [Not present]/Charlotte Loonsfoot/Janice Shalifoe – Sand Point Free Camping Request for Women’s Retreat to be held June 22–26, 2011

MOTION MADE BY EDDY EDWARDS TO APPROVE ONE LARGE CAMPING SITE FOR THE WOMEN’S RETREAT AT NO CHARGE AND TO WORK OUT THE DETAILS WITH THE CARETAKER FOR THE SPOT. SUPPORTED BY ISABELLE H. WELSH. 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), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

Lunch: 12:08 – 1:15 p.m.

3. Gregg Nominelli, Economic Developer/Ken Marshall, GIS – (3) Bids - A large Printer Purchase Request (to create and print maps) for the U.S. Department of Justice Coordinated Tribal Assistance Program Grant – Gregg recommended the low bidder Corporate Network Solutions

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE RECOMMENDATION OF THE ECONOMIC DEVELOPER TO PURCHASE A PRINTER IN THE AMOUNT OF \$9,483.00. SUPPORTED BY EDDY EDWARDS. SIX IN FAVOR (William E. Emery, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

(Toni Minton and Isabelle Welsh are out of the room)

4. Tom Chosa/Robert Mudd, Baraga Casino General Manager – Upcoming Mud Drag Races

Gary Loonsfoot, Sr. returned from lunch at 1:27 p.m.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE A DONATION OF \$3,000.00 FOR THE MUD DRAG PITS WITH THE WORK TO BE DONE BY RUDY HAATAJA. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

5. Cherie Dakota, OCC Dean of Student Services [Not present]/Debbie Parrish OCC President/Joe Jacker, Student Club KBOCC – Facility Master Plan Update

OCC would like to have Lisa Denomie’s office as the baby room once the Pre-Primary has moved into their new building.

MOTION MADE BY EDDY EDWARDS TO TABLE UNTIL THE COUNCIL HEARS FROM OUR YOUTH COMMITTEE AND HAS CHERYNE CLEMENTS’ INPUT. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

Larry Denomie III, CEO will meet with Cheryne and report to Council.

[Old Business]

6. Isabelle Welsh – Even Start Move – she would like to hear from Carole LaPointe and Sylvia Murray regarding the move and anyone involved with the grant.

Sarah Maki stated they toured the houses and prefer the yellow house.

MOTION MADE BY ISABELLE H. WELSH TO INVITE CAROLE LAPOINTE AND SYLVIA MURRAY TO NEXT WEEK’S MEETING TO DISCUSS THE HOUSE ISSUES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

J. New Business:

6. Fred Dakota – Seniors Oven Request

MOTION MADE BY EDDY EDWARDS TO APPROVE \$5,400.00 FOR THE PURCHASE OF A DOUBLE OVEN FOR THE SENIOR CITIZEN’S BUILDING. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

7. Janice Halverson, CNAP Director/Jessica Green, Weatherization Supervisor/Sarah Maki, Assistant CEO/Christoph Geiger, Deputy Attorney – Home Weatherization Auditor Services Agreement with OHA

MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE CHANGES TO THE SERVICES AGREEMENT WITH OHA AS PRESENTED. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

8. Brigitte LaPointe, TERO/Tyler Larson, Weed & Seed Coordinator/ Christoph Geiger, Deputy Attorney – Services Agreement to provide/teach job training skills services for \$5,000.00 (5 sessions)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICES AGREEMENT BETWEEN KBIC AND LEIGH DUDLEY. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

Break: 2:18 – 2:30 p.m.

9. Tom Chosa, I.T. – Rite Track Contract Addendum for an additional \$4,600.00

MOTION MADE BY EDDY EDWARDS TO APPROVE THE FIRST AMENDMENT TO CONSULTANT AGREEMENT BETWEEN KBIC AND HANDEL INC. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

K. Closed Session:

1. John Baker, Attorney
2. Jerry Lee Curtis – Seneca Manufacturing Co. Invoice

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 2:40 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.

Gary Loonsfoot, Sr. left at 2:42 p.m.

Break: 2:59 – 3:05 p.m.

Isabelle Welsh left at 3:00 p.m.

Jerry Lee Curtis returned at 3:05 p.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 3:45 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Susan J. LaFerner, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Seneca Manufacturing Co. Invoice – Cigarette Machinery Equipment

MOTION MADE BY FRED DAKOTA TO APPROVE THE DOWN PAYMENT OF 30% TO THE SENECA NATION MANUFACTURING CO. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, THREE ABSENT (Susan J. LaFerner, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:50 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Susan J. LaFerner, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist