

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MAY 31, 2012 – 9:00 A.M.**

- A. Date: May 31, 2012
- B. Call to Order: President Swartz called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President (left at 1:45 p.m.)
Susan J. LaFerner, Secretary
Jerry Lee Curtis, Assistant Secretary
Toni J. Minton, Treasurer (left at 11:53 a.m.)
Robert R.D. Curtis, Jr.
Fred Dakota
Eddy Edwards (arrived at 9:25 a.m., left 1:08 – 2:00 p.m.)
Jean Jokinen
Michael F. LaFerner, Sr.
Carole L. LaPointe
Elizabeth “Chiz” Matthews
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 31, 2012

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA. 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.

- G. For Your Information:
1. Annual Zeba Water System Report
 2. A Response Letter from Chris Korleski, Director, Great Lakes National Program Office regarding an amended Great Lakes Water Quality Agreement

3. A Letter from Gerald Parish, Superintendent, Bureau of Indian Affairs Budget Reductions by October 1, 2012
4. Michigan Gaming Control Board Final Inspection/Audit Report 2011-104
5. Press Coverage of Tribal Council Meetings Policy/Request Forms

H. New Business:

1. President Swartz – Mary Kaye Durant Donation Request for Family Members Funeral Travel Total \$1,228.00 (President Swartz instructed CNAP to approve \$1,000.00 in travel per policy for the members traveling in for the funeral)

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO DONATE THE ADDITIONAL \$228.00 FOR THE FUNERAL TRAVEL REQUEST PENDING ENROLLMENT CONFIRMATION. SUPPORTED BY CAROLE L. LAPOINTE. FIVE IN FAVOR (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), FIVE OPPOSED (Elizabeth D. Mayo, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr.), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), TIE VOTE. PRESIDENT SWARTZ VOTED IN FAVOR, MOTION CARRIED.

I. Old Business:

Eddy Edwards arrived at 9:25 a.m.

1. Proposed Ojibwa Casinos Employment Manual Review (up to page 17)

Break: 10:01 – 10:13 a.m.

J. Closed Session:

1. Skip Durocher/Mary Streitz, Dorsey & Whitney Power Point Presentation
2. Joseph O’Leary, Baraga County Prosecuting Attorney – Brenda Turunen Treaty Rights Litigation Matter
3. Jacki Skytta, Marketing Manager/Dotti Pryor, Pressbox Manager (not present) – Diamond Talent, LLC Contract for “HUNKS the Show” Male Dance Revue
4. Carole LaPointe, Health Director –
 - a) Argus Participating Agreement for Pharmacy
 - b) Medimpact (MedCare Pharmacy Network) Agreement
5. Christoph Geiger, Deputy Tribal Attorney – Panasiewicz Services Agreement
6. President Swartz – Schedule Attorney Interviews
7. Jean Jokinen – Personnel Issues (tabled)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:14 A.M. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Toni Minton left at 11:53 a.m.

Lunch: 11:53 a.m. – 1:08 p.m.

Elizabeth Mayo left at 1:45 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 1:45 P.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Toni J. Minton, Eddy Edwards), MOTION CARRIED.

Brenda Turunen Treaty Rights Litigation Matter –

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE A DONATION OF \$25,000.00 TO THE FARM-TO-CONSUMER LEGAL DEFENSE FUND EIN 20-8605130 AND TO EARMARK THE DONATION TO BRENDA ST. GEORGE TURUNEN CASE. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Toni J. Minton, Eddy Edwards), MOTION CARRIED.

Panasiewicz Services Agreement – (In the amount of \$15,000.00 - \$1250 per month - additional fee of \$7.50 per session for each client in excess of 20) Drug Court Counseling Services

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SERVICES AGREEMENT WITH REBECCA PANASIEWICZ TO PROVIDE GROUP COUNSELING SERVICES EFFECTIVE JUNE 1, 2012 SUBJECT TO THE APPROVAL OF THE GRANTING AGENCY. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Toni J. Minton, Eddy Edwards), MOTION CARRIED.

Argus Participating Agreement for Pharmacy and Medimpact (MedCare Pharmacy Network) Agreement – regarding Medicare Part D Networks

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE ARGUS PARTICIPATING AGREEMENT FOR PHARMACY AND MEDCARE PHARMACY NETWORK AGREEMENT. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Toni J. Minton, Eddy Edwards), MOTION CARRIED.

Diamond Talent, LLC Contract for “HUNKS the Show” Male Dance Revue -

MOTION MADE BY CAROLE L. LAPOINTE TO TABLE THE HUNKS ENTERTAINMENT AGREEMENT UNTIL LATER TODAY WHEN THE MANAGERS CAN BE PRESENT. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Toni J. Minton, Eddy Edwards), MOTION CARRIED.

[New Business]

2. President Swartz – Committee Selections

- a) Gaming Commission (1) – Consensus to repost for the (1) seat as there is a job description and qualifications per the ordinance.
- b) Cultural Committee (3)

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE CULTURAL COMMITTEE SELECTIONS FOR THREE YEAR TERMS AS DIANE CHARRON, MELISSA KOEPP, AND GERRY MANTILA. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Elizabeth D. Mayo, Toni J. Minton, Eddy Edwards), MOTION CARRIED.

Eddy Edwards returned from lunch at 2:00 p.m.

- c) Education Committee (6) – The By-Laws state four members must be parents of K-12 in the L’Anse and Baraga Schools and two applicants meet that requirement.

MOTION MADE BY CAROLE L. LAPOINTE TO APPOINT SUZY KAHKONEN AND ROBIN ROE TO THE EDUCATION COMMITTEE FOR THREE-YEAR TERMS AND TO REPOST THE REMAINING FOUR SEATS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jerry Lee Curtis, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe), TWO OPPOSED (Susan J. LaFerner, Elizabeth “Chiz” Matthews), ONE ABSTAINING (Robert R.D. Curtis, Jr.), TWO ABSENT (Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

- d) Youth Committee (2) – The Council consensus is to appoint Marty Curtis to a ten month term and Melissa Koepp to a four month term per the by-laws.

Eddy Edwards informed the President that he is resigning as Council Rep for this committee. Carole LaPointe will serve as the Council Rep as well as a member.

Diamond Talent, LLC Contract for “HUNKS the Show” Male Dance Revue – 11-14-2012 \$1,500.00 at the Pressbox

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE DIAMOND TALENT, LLC CONTRACT FOR “HUNKS THE SHOW” MALE REVUE. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), THREE OPPOSED (Susan J. LaFERNIER, Jean Jokinen, Carole L. LaPointe), ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

3. Heather Chapman, Assistant Tribal Attorney – Jeremy Hebert (New) Fireworks Permit Application for three months

MOTION MADE BY FRED DAKOTA TO APPROVE THE FIRE WORKS PERMIT FOR JEREMY HEBERT. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

Break: 2:42 – 2:56 p.m.

[Old Business]

2. Janice Halverson - CNAP (Community Needs Assistance Program) Guidelines (Janice provided a new copy of the policy with her changes in red) Discussion – She will send another revised copy.
3. Larry Denomie III, CEO – Proposed Amendment to the Drug Free Work Place Policy

(See handout)

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE GOVERNMENT AND ENTERPRISE AMENDMENT TO THE DRUG FREE WORK PLACE POLICY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Eddy Edwards, Jean Jokinen), ONE ABSTAINING (Robert R.D. Curtis, Jr.), TWO ABSENT (Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 3:38 P.M. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Susan J. LaFernier, Carole L. LaPointe), ABSTAINING - 0, TWO ABSENT (Elizabeth D. Mayo, Toni J. Minton), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist