

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – NOVEMBER 8, 2012 – 9:00 A.M.

- A. Date: November 8, 2012
- B. Call to Order: Vice President Mayo called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Elizabeth D. Mayo, Vice President (left 1:05 – 2:30 p.m.)
Susan J. LaFernier, Secretary
Jerry Lee Curtis, Assistant Secretary
Toni J. Minton, Treasurer (left 2:55 – 3:17 p.m.)
Robert R.D. Curtis, Jr. (arrived at 9:16 a.m.)
Fred Dakota
Eddy Edwards (left at 3:10 p.m.)
Jean Jokinen
Michael F. LaFernier, Sr.
Elizabeth “Chiz” Matthews
Absent: Warren C. Swartz, Jr., President
Carole L. LaPointe
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 8, 2012
- | | | |
|------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Additions: | FYI- | 2. Eddy Edwards – Ojibwa Holding Company Financials |
| | Recognize Scheduled Delegation/Individuals- | 1. Rick Geroux – American Legion Roof Repairs Request |
| | New Business- | 2. Jean Jokinen – c) Referendum on Ballot regarding \$10,000.00 Issue |
| | | 8. Jean Jokinen – Attorney Selection |
| | Closed Session- | 3. Susan LaFernier, Secretary – a) Clarification of Grievance Policy regarding Case #012-12
b) USGS Proposal concerning Mining |

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Robert R.D. Curtis, Jr., Carole L. LaPointe), MOTION CARRIED.

G. For Your Information:

1. Heather Chapman, Assistant Attorney - All Appellants in Mining Case join to file an Objection to Kennecott’s Request for Extension to file Response to Appeal
2. Eddy Edwards – Ojibwa Holding Company September Financials – (Car Wash, Laundromat, BP Gas Station, Building Supply)

R.D. Curtis arrived at 9:16 a.m.

H. Approval of Meeting Minutes:

1. November 3, 2011

MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER 3, 2011 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, THREE ABSTAINING (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Jean Jokinen), TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

2. November 10, 2011

MOTION MADE BY FRED DAKOTA TO APPROVE THE NOVEMBER 10, 2011 MEETING MINUTES WITH THE CHANGE ON PAGE THREE. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINING (Robert R.D. Curtis, Jr., Jean Jokinen), TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

I. Recognize Scheduled Delegation/Individuals:

1. Rick Geroux – American Legion Roof Repairs Request

MOTION MADE BY JERRY LEE CURTIS TO APPROVE A DONATION OF \$10,000.00 TO THE AMERICAN LEGION FOR ROOF REPAIRS PENDING THE OUTCOME OF SEEKING OTHER RESOURCES THROUGH AN SNB GUARANTEED LOAN OR AN OJIBWA HOUSING LOAN AND IF THE DONATION IS GRANTED FROM THE TRIBE THEY WILL REPAY THE AMOUNT FROM THEIR INSURANCE CLAIM AND PROVIDE DOCUMENTATION OF CORRESPONDENCE FROM SNB, OHA, AND THE INSURANCE COMPANY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J.

LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

2. Valoree Gagnon/Dr. Emma S. Norman – CNH Research Proposal *Dynamics of Coupled Natural and Human Systems Program* “Managing Impacts of Global Transport of Atmosphere – Surface Exchangeable Pollutants in the Context of Global Change Request for KBIC to be a Collaborator by letter for the grant

The Council consensus is to participate in the research project and request the Natural Resources Department to participate also.

J. New Business:

1. Susan LaFerner, Secretary – 1st Reading Title 20 Hazardous Substances Control Proposed Ordinance 2012-07 – Katherine Kruse, NRD Environmental Response Program Specialist/Richard Du Bey, Attorney/Greg Hixson, Attorney’s from Short, Cressman & Burgess LLC paid by the grant (Tribal Resource)

The main intent of this Ordinance is to provide for the cleanup of hazardous substances sites and to prevent the creation of future hazards due to improper disposal of hazardous substances on or into the air, land, surface water and ground waters, located within the Reservation Environment.

MOTION MADE BY SUSAN J. LAFERNIER TO INTRODUCE PROPOSED ORDINANCE 2012-07 HAZARDOUS SUBSTANCE CONTROL ORDINANCE AND WAIVE THE 1ST READING AND SCHEDULE THE 2ND READING ON DECEMBER 1, 2012 AND THE 3RD READING ON DECEMBER 13, 2012. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

K. Old Business:

1. Susan LaFerner, Secretary - Reschedule Enterprise Employee Appeal of Termination Hearing Case #014-12 (Originally Scheduled November 8, 2012 at 2:00 p.m.)

The Hearing is rescheduled to November 29, 2012 at 1:00 p.m.

[New Business]

2. Diana Chaudier, Election Board Chair –
 - a) Primary Election Results – November 3, 2012

L'Anse: Susan J. LaFerner (70), Jennifer Misegan (64), Eddy Edwards (43), David Haataja (28), Charles Gauthier (26), Gerald Jondreau (25), Lyndon Ekdahl (17) and William "Gene" Emery (17)

Baraga: Warren "Chris" Swartz, Jr. (127), Don Messer, Jr. (73), Gary F. Loonsfoot, Sr. (72), Jerry Lee Curtis (68), Virginia "Ginnyann" Jermac (60), Michael Cardinal (51), Thomas Chosa, Jr. (48), and Robert Ellsworth (10)

MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER 3, 2012 PRIMARY ELECTION RESULTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, THREE ABSTAINING (Susan J. LaFerner, Jerry Lee Curtis, Eddy Edwards), TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

b) Alternate Election Worker Selection for the General Election (10 applicants)

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPOINT CODY BLUE AS AN ELECTION WORKER ALTERNATE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Eddy Edwards), TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

c) Jean Jokinen – Referendum Ballot regarding the \$10,000.00 appropriation issue and license fees -

Jean will work on a Resolution to bring forward to the Council.

3. Jason Ayres, Realty Officer –

a) Resolution KB-1903-2012 Roger F. Duschene Residential Lease

MOTION MADE BY JEAN JOKINEN TO APPROVE RESOLUTION KB-1903-2012 ROGER F. DUSCHENE RESIDENTIAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

b) Resolution KB-1908-2012 Robert R. Duschaine Residential Lease

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-1908-2012 ROBERT R. DUSCHAINÉ RESIDENTIAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

c) Resolution KB-1909-2012 Roger S. Morin/Marianne E. Wickstrom Residential Lease (Cancels prior lease with Cheryl Morin)

MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1909-2012 ROGER S. MORIN AND MARIANNE E. WICKSTROM RESIDENTIAL LEASE. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

d) Resolution KB-1910-2012 Brandon K. Loonsfoot and Tammi T. Loonsfoot Residential Lease

MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1910-2012 BRANDON K. LOONSFOT AND TAMMI T. LOONSFOT RESIDENTIAL LEASE. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

e) Resolution KB-1911-2012 Karen M. Andersen Residential Lease

MOTION MADE BY JERRY LEE CURTIS TO APPROVE RESOLUTION KB-1911-2012 KAREN M. ANDERSEN RESIDENTIAL LEASE. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

Break: 10:50 – 11:02 a.m.

4. Toni Minton, Treasurer – 2% Reviews

a) Resolution KB-1900-2012 Baraga 2%

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-1900-2012 BARAGA TWO PERCENT IN THE AMOUNT OF \$140,353.08. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (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), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

b) \$5,000 for period of October 1, 2011 through March 31, 2012

The Council consensus is to return the \$5,000.00 to Skandia Township which they have requested for use towards repairs to the township hall. It was originally allocated for U.P. Trails to which Skandia Township was the government pass-through agency.

MOTION MADE BY EDDY EDWARDS TO RETURN \$5,000.00 TO SKANDIA TOWNSHIP FROM THE PREVIOUS ALLOCATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

c) Resolution KB-1901-2012 Marquette 2%

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1901-2012 MARQUETTE TWO PERCENT IN THE AMOUNT OF \$169,692.11. SUPPORTED BY JEAN JOKINEN. EIGHT IN FAVOR (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

5. Elizabeth Mayo, Vice President – Committee Selections

- a) Economic Development (7) Seats – 6 applicants
- b) Hiring (1) Seat – 5 applicants
- c) ICWA (2) Seats – 1 applicant
- d) Powwow (5) Seats – 6 applicants
- e) Youth (4) Seats – 2 applicants

MOTION MADE BY JEAN JOKINEN TO APPOINT JODIE CHOSA TO THE HIRING COMMITTEE. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (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), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO TABLE THE POWWOW COMMITTEE SEAT SELECTIONS UNTIL THE COUNCIL RECEIVES THE REPORT FROM CHRIS CHOSA, THPO DIRECTOR, REGARDING THIS YEARS POWWOW. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPOINT ANDREW CHOSA, DEBBIE PARRISH, KERRY PICCIANO, LORI LAFERNIER, BRANDON LOONSFOOT, AND MICHAEL LAHTI TO THE ECONOMIC DEVELOPMENT COMMITTEE AND POST FOR ONE ADDITIONAL SEAT, APPOINT DEBRA PICCIANO TO ICWA AND POST FOR ONE ADDITIONAL SEAT, APPOINT MICHAEL LAHTI AND VICTORIA SZYMANSKI TO THE YOUTH COMMITTEE AND POST FOR TWO ADDITIONAL SEATS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

6. Larry Denomie III, CEO –

- a) Resolution KB-1904-2012 Forest Management Deduction Account Expenditure Plan October 1, 2012 – September 30, 2013

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1904-2012 FOREST MANAGEMENT DEDUCTION PLAN. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO DIRECT STAFF AND THE TRIBAL PRESIDENT TO SEND A LETTER TO THE BIA WITH OUR DISSATISFACTION ON OUR AREA FORESTRY MANAGEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFERNIER, Sr.), OPPOSED - 0, ONE ABSTAINING (Elizabeth “Chiz” Matthews), THREE ABSENT (Warren C. Swartz, Jr., Robert R.D. Curtis, Jr., Carole L. LaPointe), MOTION CARRIED.

(R.D. Curtis is out of the room)

- b) Resolution KB-1905-2012 BIA Contract for the Higher Education Program, Judicial Services, Social Services, General Assistance, Child Assistance, Indian Child Welfare Act, Fish Hatchery Operation & Maintenance, Wildlife & Parks, Real Estate Services, Water Resources, Great Lakes Recovery Initiative, and Circle of Flight pursuant to the Indian Self-Determination Act, P.L. 93-638 January 1, 2013 – December 31, 2015

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1905-2012 BIA CONTRACT FOR THE HIGHER EDUCATION PROGRAM, JUDICIAL SERVICES, SOCIAL SERVICES, GENERAL ASSISTANCE, CHILD ASSISTANCE, INDIAN CHILD WELFARE ACT, FISH HATCHERY OPERATION & MAINTENANCE, WILDLIFE & PARKS, REAL ESTATE SERVICES, WATER RESOURCES, GREAT LAKES RECOVERY INITIATIVE, AND CIRCLE OF FLIGHT PURSUANT TO THE INDIAN SELF-DETERMINATION ACT, P.L. 93-638 JANUARY 1, 2013 – DECEMBER 31, 2015. SUPPORTED BY ROBERT R.D. CURTIS, JR. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

- c) Resolution KB-1906-2012 BIA Contract for Law Enforcement Services January 1, 2013 – December 31, 2015

MOTION MADE BY JERRY LEE CURTIS TO APPROVE RESOLUTION KB-1906-2012 BIA CONTRACT FOR LAW ENFORCEMENT. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

7. Bradley Dakota, Chief Judge/Lauri Denomie, Tribal Court Clerk –

- a) Michigan Department of Human Services Billing Statement (Tribal Court Budget) 1997 – 2005 Reconciliation of prior years of balances due for child care

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PAYMENT FROM TRIBAL COURT TO THE STATE OF MICHIGAN DEPARTMENT OF HUMAN SERVICES IN THE AMOUNT OF \$36,222,61 FOR SERVICES RECEIVED. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

- b) Video Conferencing Equipment Purchase Approval (GLIFWC Budget)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PAYMENT TO DASCOM SYSTEMS GROUP, INC. IN THE AMOUNT OF \$13,256.93 FOR VIDEO CONFERENCING SYSTEM EQUIPMENT FOR THE TRIBAL COURTROOM. SUPPORTED BY JEAN JOKINEN. NINE IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Carole L. LaPointe), MOTION CARRIED.

Lunch: 12:01 – 1:05 p.m.

Elizabeth Mayo left 1:05 p.m.

(Susan LaFerner, Secretary is Chairing the meeting)

L. Closed Session:

1. Enterprise Employee Grievance Hearing Case #013-12
2. Larry Denomie III, CEO –
 - a) Fitness Programs & Facilities Coordinator Reclassification
 - b) CAP Administrator Reclassification
 - c) Youth Programs Coordinator Applicants
 - d) Promotion of Clinic Third Party Billing Clerk for DHHS from Temporary to Full Time Status (per Personnel Policy 4.2)
2. Susan LaFerner, Secretary –
 - a) Clarification of Grievance Policy regarding Case #012-12
 - b) USGS Proposal concerning Mining

MOTION MADE BY JERRY LEE CURTIS TO GO INTO CLOSED SESSION AT 1:06 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Jean Jokinen), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Elizabeth D. Mayo, Carole L. LaPointe), MOTION CARRIED.

Elizabeth Mayo returned at 2:30 p.m.

Break: 2:42 – 2:50 p.m.

Toni Minton left at 2:55 p.m.

Eddy Edwards left at 3:10 p.m.

Toni Minton returned at 3:17 p.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO OPEN SESSION AT 3:23 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Marquette 2% totals were calculated incorrectly on the worksheet and the Council will reconsider the motion from earlier in the meeting. (Resolution KB-1901-2012) The total amount remains \$169,692.11.

MOTION MADE BY SUSAN J. LAFERNIER TO RECONSIDER THE MARQUETTE 2% ALLOCATIONS BASED ON INCORRECT CALCULATIONS. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (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, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

MOTION MADE BY SUSAN J. LAFERNIER TO REALLOCATE THE MARQUETTE 2% REGARDING RESOLUTION KB-1901-2012. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (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, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Kim Klopstein – added after the approval of the agenda

MOTION MADE BY FRED DAKOTA TO WAIVE THE FOOD HANDLERS LICENSE AND FEE REQUIREMENT FOR KIM KLOPSTEIN TO COOK FOR THE HARVEST FEAST. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (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, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Fitness Programs & Facilities Coordinator Reclassification – (Changed Title of Director to Coordinator)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE FITNESS PROGRAMS AND FACILITY COORDINATOR RECLASSIFICATION FROM A GRADE TEN TO A GRADE NINE AND THE CURRENT EMPLOYEE WILL RETAIN THE CURRENT WAGE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Toni Minton stated her abstention: She was not present for the discussion.

CAP Administrator Reclassification –

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE CAP ADMINISTRATOR RECLASSIFICATION FROM A GRADE ELEVEN TO A GRADE TEN AND THE CURRENT EMPLOYEE WILL RETAIN THEIR CURRENT WAGE. SUPPORTED BY ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Toni Minton stated her abstention: She was not present for the discussion.

Promotion of Clinic Third Party Billing Clerk for DHHS from Temporary to Full Time Status (per Personnel Policy 4.2) – Laura Mayo

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE PROMOTION PER PERSONNEL POLICY 4.2 OF THE CLINIC THIRD PARTY BILLING CLERK FOR DHHS FROM TEMPORARY TO FULL TIME STATUS EFFECTIVE THE DATE OF HER TEMPORARY HIRE AND THE WAGE REMAINS THE SAME. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

[New Business]

8. Larry Denomie III, CEO – Weekly Update

9. Jean Jokinen – Attorney Selection

MOTION MADE BY JEAN JOKINEN TO OFFER THE TRIBAL ATTORNEY POSITION TO LINDY GRELL IN THE AMOUNT OF \$97,000.00. SUPPORTED BY ROBERT R.D. CURTIS, JR.

MOTION MADE BY SUSAN J. LAFERNIER TO TABLE THE OFFER FOR THE TRIBAL ATTORNEY POSITION UNTIL NEXT THURSDAY TO REVIEW OUR ATTORNEY CONTRACTS. SUPPORTED BY TONI J. MINTON. FOUR IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr.), FOUR OPPOSED (Jerry Lee Curtis, Robert R.D. Curtis, Jr., Jean Jokinen, Elizabeth “Chiz” Matthews), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), TIE VOTE. VICE PRESIDENT MAYO VOTED IN FAVOR, MOTION CARRIED.

M. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 4:18 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Carole L. LaPointe), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist