

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 5, 2010 – 9:00 A.M.

- A. Date: August 5, 2010
- B. Call to Order: Vice President Emery called the meeting to order at 9:13 a.m.
- C. Invocation: Lord’s Prayer and prayers for the family of Beverly Ellsworth and prayers for Colleen DeRoche
- D. Roll Call: Present: William E. Emery, Vice President
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Jerry Lee Curtis (left 2:50 – 3:13 p.m.)
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 9:30 a.m.)
Gary F. Loonsfoot, Sr.
Elizabeth D. Mayo
Isabelle Helene Welsh
- Absent: Warren C. Swartz, Jr., President
Eddy Edwards, Treasurer
Toni J. Minton
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 5, 2010
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| Additions: | Old Business- | 3. Jerry Lee Curtis – Baraga County Community Foundation Tony Selkey Memorial Golf Scramble Sponsorship Request |
| | Closed Session- | 3. Larry Denomie III, CEO – Commodity Food Program Director Interviews |

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Toni J. Minton), MOTION CARRIED.

G. For Your Information:

1. A “Thank you” from Leslie Haataja
2. New Day Environmental Health Survey Report – Rhinelander District Office of Environmental Health
3. Nominations for Administration for Children and Families Tribal/Federal Workgroup Letter – Isabelle Welsh accepted the nomination.
4. Letter on the Realignment of Regional Fiduciary Trust Administrators – Office of the Special Trustee for American Indians (OST) for Trust Services to individual and Tribal beneficiaries
5. A letter from Penny Olson – former OCC Teacher/Instructor

H. Approval of Meeting Minutes:

Mike LaFerner, Sr. arrived at 9:30 a.m.

1. April 10, 2010

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE APRIL 10, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

I. Old Business:

1. Larry Denomie III, CEO –
 - a) 24.0 Theft 24.1 Zero Tolerance for Theft Policy – Reschedule for August 12, 2010 – The Department Head suggestions will be reviewed
 - b) Department of Transportation/Tribal Construction Company - Reschedule for August 12, 2010

Break: 10:23 – 10:36 a.m.

2. Glen Bressette, Sr./Glen Bressette, Jr./John Jacker/Joe Jacker/Others – Assinins Cemetery Issue – Mr. Bressette read a statement to the Council. He would like the pipe moved off the graves. Tribal Construction Company will move the drain pipe for the water hand pump.

3. Jerry Lee Curtis – Baraga County Community Foundation Tony Selkey Memorial Golf Scramble Sponsorship Request per a call to Chris Swartz

MOTION MADE BY ELIZABETH D. MAYO TO DONATE \$1,000.00 TO THE BARAGA COUNTY COMMUNITY FOUNDATION TONY SELKEY MEMORIAL GOLF SCRAMBLE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ONE ABSTAINING (Susan J. LaFernier), THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

J. New Business:

1. Jim Stingle, Grant Writer – Resolution KB-1770-2010 DHHS–I.H.S. FY11 Tribal Management Grant to implement a Electronic Health Records and VolP Phone management system at the KBIC Health Department 2 year project for \$251,140.00

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1770-2010 DHHS-I.H.S. FY11 TRIBAL MANAGEMENT GRANT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

2. Cheryne Clements, Youth Facility Director - Budget Modification for the Community Center Surveillance System

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$8,008.00 ADDITIONAL IN THE YOUTH PROGRAM BUDGET FOR THE SURVEILLANCE EQUIPMENT FROM MIDSTATE. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

3. Todd Warner, NRD – Native and Invasive Plants Workshop Invitation - to be held September 1, 2010 at the Hatchery – Gene Emery, Chiz Matthews, Susan LaFernier, Fred Dakota, and Isabelle Welsh were interested in attending.
The Greenhouse grand opening will be held on August 31, 2010.
4. Susan LaFernier, Secretary - KBIC Involvement in Calumet Heritage Festival August 2011 – The Council would like to participate and Susan will also consult the Cultural Committee.

Lunch: 11:53 a.m. – 1:15 p.m.

5. Larry Denomie III, CEO/Pauline Spruce, Personnel Director –

- a) TERO Director/Work Force Coordinator – The Council was provided a copy of this new job description for review.

Isabelle Welsh returned from lunch at 1:20 p.m.

Mike LaFERNIER, Sr. returned from lunch at 1:27 p.m.

- b) Personnel Policy Amendment for 15.0 Career Development 15.1 Policy – full-time employees who are at 32–36 hours a week are expecting the full 4 hour career development leave.

Strike: “Full-time employees shall be allowed up to 4 hours per week with pay to attend classes.”

Insert: Regular full-time employees working 40 hours per week shall be allowed up to 4 hours per week with pay to attend classes. Regular full-time employees working under 40 hours but classified as a full-time for fringe benefits shall be eligible for Career Development leave on a pro-rated basis up to 4 hours.

K. Closed Session:

1. Bruce LaPointe, Project Manager –
 - a) Early Childhood Education Center Bid Award/Phil Niemi, IDI present
 - b) Construction Contract – Bucks Marina and Campground, Tribal Construction Company
2. John Baker, Attorney

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 1:48 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

Break: 1:55 – 2:10 p.m.

Jerry Lee Curtis left at 2:50 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 3:10 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED – 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Jerry Lee Curtis, Toni J. Minton), MOTION CARRIED.

Early Childhood Education Center Bid Award – \$1,559,572.00 (5) bids were received

MOTION MADE BY FRED DAKOTA TO AWARD THE BID FROM THE OJIBWA BUILDERS FOR THE EARLY CHILDHOOD EDUCATION CENTER. SUPPORTED BY ELIZABETH D. MAYO. FIVE IN FAVOR (Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED – 0, TWO ABSTAINING (Susan J. LaFernier, Michael F. LaFernier, Sr.), FOUR ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Jerry Lee Curtis, Toni J. Minton), MOTION CARRIED.

Jerry Lee Curtis returned at 3:13 p.m.

Tribal Construction Contract – Bucks Marina and Campground – \$14,955.75 to install sewer pipes

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE CONSTRUCTION CONTRACT WITH TRIBAL CONSTRUCTION COMPANY FOR BUCKS MARINA AND CAMPGROUND. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED – 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

Commodity Food Program Director Interviews –

MOTION MADE BY FRED DAKOTA TO INTERVIEW THE FIVE QUALIFIED KBIC TRIBAL APPLICANTS FOR THE COMMODITY FOOD PROGRAM DIRECTOR. SUPPORTED BY GARY F. LOONSFOOT, SR. FOUR IN FAVOR (Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), FOUR OPPOSED (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Michael F. LaFernier, Sr., Isabelle H. Welsh), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), TIE VOTE - VICE PRESIDENT EMERY VOTES IN FAVOR, MOTION CARRIED.

Isabelle Welsh stated her opposition: She would like to interview all of the Tribal members.

L. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 3:18 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Toni J. Minton), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist