

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 26, 2010 – 9:00 A.M.**

- A. Date: August 26, 2010
- B. Call to Order: Vice President Emery called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer and prayers for Colleen DeRoche and Dorothy Seppanen
- D. Roll Call: Present: William E. Emery, Vice President
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 11:13 a.m.)
Gary F. Loonsfoot, Sr.
Elizabeth D. Mayo
Toni J. Minton
Isabelle Helene Welsh (arrived at 9:34 a.m.)

Absent: Warren C. Swartz, Jr., President

- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 26, 2010

- | | | |
|------------|---------------|--|
| Additions: | FYI- | 3. Open House for the CAP Office today at 11:00 a.m. – 1:00 p.m. |
| | | 4. Debbie Parrish, OCC – Senator Prussi - Senate Bill No. 1014 Native Language Credit for Language Requirement |
| | Old Business- | 2. b) Larry Denomie, CEO – Parks/Marina Caretaker Job Description |

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

G. For Your Information:

1. SNB KBIC Guaranteed Loan Program Account Summary August 20, 2010
2. Town Hall Meeting on Prescription Drug Abuse in Baraga County September 15, 2010
3. Open House for the CAP Office today at 11:00 a.m. – 1:00 p.m.
4. Debbie Parrish, OCC – Senator Prussi Senate Bill No. 1014 Native Language Credit for Language Requirement - Language Teachers do not need a teaching certificate to teach Native American Tribal Language and Culture classes

H. Old Business:

1. Debbie Parrish, OCC – A letter is required from the Tribe to the U.S. Department of Education for the OCC’s application for participation in Title IV Federal Student Aid to be considered a public institution of higher education.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE LETTER PRESENTED BY DEBBIE PARRISH, AND THE LANGUAGE ADDED, FOR THE STATEMENT OF PUBLIC STATUS FOR FULL FAITH AND CREDIT, TO BE SIGNED BY THE TRIBAL PRESIDENT. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ONE ABSTAINING (Eddy Edwards), THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. Larry Denomie III, CEO –
 - a) Policy 24.0 Theft: 24.1 Zero Tolerance for Theft – Change and add to the definition of theft (24.1) and change *will* to *may* (18.2 D). Examples of conduct that *may* result in immediate dismissal.

Isabelle Welsh arrived at 9:34 a.m.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE AMENDMENT TO 24.1 THE DEFINITION OF THEFT AND ALL INCIDENTS DEEMED TO BE THEFT BY THE CEO WILL BE TURNED OVER TO THE TRIBAL PROSECUTOR AND THE TRIBAL POLICE. REPLACE THE WORD *WILL* WITH *MAY* IN 18.2 D. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr.), MOTION CARRIED.

A person with a gaming license could be found innocent at Council level and the Gaming Commission may find them guilty.

b) Larry Denomie, CEO – Parks/Marina Caretaker Job Description

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PARKS/MARINA CARETAKER JOB DESCRIPTION, MOVING THE GRADE LEVEL FROM A 4 TO A 5. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Break: 10:25 – 10:40 a.m.

I. New Business:

1. Todd Warner, NRD – Arlington, Washington Intertribal Nursery Council Travel Opportunity 2010 Annual meeting and workshop September 21-23. The Forest Service has two scholarships available. NRD has funds for their two employees. The Council will notify Todd if Council members will attend.
2. Gerry Cadeau, Slot Manager/David Haataja, Marquette Casino General Manager – Removal of (8) Atronic Games and Install of (10) Bally Games for Marquette Property

MOTION MADE BY EDDY EDWARDS TO APPROVE THE REQUEST FROM GERRY CADEAU FOR THE SLOT MACHINE REMOVAL AND INSTALL FOR THE MARQUETTE PROPERTY. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr., Isabelle H. Welsh), MOTION CARRIED.

(Isabelle Welsh is out of the room)

3. Diana Chaudier, Election Board Chair – Primary Election Timeline – Election October 30 and General Election Timeline – Election December 11, 2010

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE GENERAL AND PRIMARY ELECTION TIMELINES. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.

4. Vice President Emery – Economic Development Committee Selections (all 7 seats are up in September 2010) and was advertised – 12 persons applied. The Council will add Larry Denomie, CEO, to the Economic Development Committee as an advisor. Seven persons were selected by ballot: Paul DesRochers, Jr., Bruce LaPointe, Brad Dakota, Janice Halverson, Lynn Ketola, Dale Shalifoe, and Debbie Parrish.

Mike LaFerner, Sr. arrived at 11:13 a.m.

MOTION MADE BY FRED DAKOTA TO APPROVE THE SEVEN PEOPLE SELECTED FOR THE ECONOMIC DEVELOPMENT COMMITTEE. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFerner, Sr.), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

5. Gary Loonsfoot, Jr., Language Coordinator – Student Sovereign Fund Eligibility for the Bay Mills Community College (BMCC) Immersion Students

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE STUDENT SOVEREIGN FUND ELIGIBILITY REQUEST UNTIL BUDGET REVIEWS. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (Susan J. LaFerner, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo), THREE OPPOSED (Elizabeth “Chiz” Matthews, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ONE ABSTAINING (Toni J. Minton), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Lunch: 12:06 – 1:13 p.m.

6. John Baker, Attorney – Renewal Business License for a Child Care Center for the Pre-Primary Education Program

MOTION MADE BY TONI J. MINTON TO APPROVE THE RENEWAL BUSINESS LICENSE FOR THE PRE-PRIMARY EDUCATION PROGRAM. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

J. Closed Session:

1. John Baker, Attorney – Fountaine Services Agreement

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 1:14 P.M. SUPPORTED BY JERRY LEE CURTIS. FIVE IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

Eddy Edwards returned from lunch at 1:16 p.m.

Elizabeth Mayo returned from lunch at 1:16 p.m.

Isabelle Welsh returned from lunch at 1:17 p.m.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO OPEN SESSION AT 1:19 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr.), MOTION CARRIED.

Cory Fontaine Services Agreement – Mural for the KBOCC Library/Science Center Building

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SERVICES AGREEMENT WITH CORY FOUNTAINE. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFerner, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr.), MOTION CARRIED.

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

[Return to New Business]

7. Eddy Edwards, Treasurer – August 2010 Donations - Total \$6,724.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AUGUST 2010 DONATIONS TO THE FOLLOWING: \$660.00 TO LINDA KEMPPAINEN TOWARDS A WHEELCHAIR RAMP, \$500.00 TO THE LAW ENFORCEMENT TORCH RUN FOR SPECIAL OLYMPICS, \$64 TO JESSICA KOSKI FOR GAS REIMBURSEMENT TO EAGLE ROCK, \$500.00 TO THE MILITARY ORDER OF THE PURPLE HEART CONVENTION, \$1,000.00 TO THE YANKTON SIOUX TRIBE FOR FLOOD DISASTER, \$1,000.00 TO THE BEACON HOUSE, \$1,000.00 TO THE MARINE CORPS LEAGUE TOWARDS A TRAILER, \$1,000.00 TO THE AMERICAN CANCER SOCIETY RELAY FOR LIFE, AND \$1,000.00 TO THE CULTURAL SURVIVAL ORGANIZATION FOR LANGUAGE PRESERVATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 1:32 P.M. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist