

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JUNE 30, 2011 – 9:00 A.M.**

- A. Date: June 30, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:05 a.m.
- C. Invocation: Lord’s Prayer in Ojibwa
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFernier, Secretary (left at 10:07 a.m.)
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis (arrived at 9:38 a.m.)
Fred Dakota
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews (arrived at 9:06 a.m.)
Elizabeth D. Mayo (arrived at 9:11 a.m.)
Isabelle Helene Welsh (arrived at 9:07 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

Elizabeth Matthews arrived at 9:06 a.m.

- F. Approval of Agenda: June 30, 2011

Addition: Closed Session- 3. Susan LaFernier, Secretary – Update on Appeal Hearing

MOTION MADE BY EDDY EDWARDS TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh arrived at 9:07 a.m.

G. For Your Information:

1. Annual Zeba Water System Report 2011
2. Indian Health Service Findings on Medical Use of Marijuana
3. GLIFWC Tribal Mining Workshop September 20-21, 2011 – Bad River, WI
4. BIA Midwest Region’s First Annual “Partners in Action” Conference August 9-11, 2011 – Hinckley, MN (President Swartz will be attending)

Elizabeth Mayo arrived at 9:11 a.m.

H. Approval of Meeting Minutes:

1. November 18, 2010

MOTION MADE BY EDDY EDWARDS TO APPROVE THE NOVEMBER 18, 2010 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

2. November 19, 2010

MOTION MADE BY EDDY EDWARDS TO APPROVE THE NOVEMBER 19, 2010 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFerner, Sr.), ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

3. December 2, 2010

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE DECEMBER 2, 2010 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

I. Old Business:

1. Fred Dakota/Gregg Nominelli, Economic Developer – Travel Report and Recommendation on Cigarette RYO (Roll Your Own) Machines – The machines cost \$32,500.00 each.

Jerry Lee Curtis arrived at 9:38 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PURCHASE OF FOUR ROLL YOUR OWN CIGARETTE MACHINES AT \$32,500.00 EACH. SUPPORTED BY FRED DAKOTA.

MOTION MADE BY TONI J. MINTON TO TABLE THE PURCHASE OF CIGARETTE MACHINES UNTIL A BUSINESS PLAN IS IN PLACE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), FIVE OPPOSED (William E. Emery, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

2. Eddy Edwards, Treasurer/Kristen Wakeham and Angie Olson, Grant Writers for OHA present – Indian Housing Plan 2010

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE OLD AND NEW INDIAN HOUSING PLAN. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), ABSENT - 0, MOTION CARRIED.

J. New Business:

1. Jason Ayres, Realty Officer –

- a) Resolution KB-1837-2011 Michael Glen Whetung Recreational Lease

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1837-2011 MICHAEL GLEN WHETUNG RECREATIONAL LEASE. SUPPORTED BY JERRY LEE CURTIS. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

- b) Resolution KB-1838-2011 Michael Lee Whetung Recreational Lease

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1838-2011 MICHAEL LEE WHETUNG RECREATIONAL LEASE. SUPPORTED BY ISABELLE H. WELSH. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

- c) Resolution KB-1839-2011 Robert D. Sandquist Recreational Lease

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1839-2011 ROBERT D. SANDQUIST RECREATIONAL LEASE. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

d) Resolution KB-1840-2011 William W. Jondreau, Sr. Recreational Lease

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE RESOLUTION KB-1840-2011 WILLIAM W. JONDREAU RECREATIONAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

e) Resolution KB-1841-2011 Steven C. Conley Modification of Lease Request (to include a parcel of land)

MOTION MADE BY ELIZABETH D. MAYO TO DENY RESOLUTION KB-1841-2011 STEVEN C. CONLEY MODIFICATION OF LEASE REQUEST. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (William E. Emery), ABSENT - 0, MOTION CARRIED.

f) Resolution KB-1842-2011 Indian Cemetery Loop Improvements – B.I.A. Roads Division Right-of-Way

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-1842-2011 INDIAN CEMETERY LOOP IMPROVEMENTS. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (William E. Emery), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

g) Naming of Road – Beartown Housing Development

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO NAME THE GRAVEL ROAD IN THE BEARTOWN DEVELOPMENT “TURTLE” IN OJIBWA. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Michael F. LaFERNIER, Sr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 10:07 – 10:24 a.m.

Susan LaFERNIER left at 10:07 a.m.

2. Bruce LaPointe, Projects Manager –

- a) Transfer of Radio Station Trucks to Public Works Department

MOTION MADE BY EDDY EDWARDS TO DENY THE TRANSFER AND HAVE THE RADIO STATION GET AN UPGRADE WITH A NEW PAINT JOB AND STICKERS FOR THE TRUCKS. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Fred Dakota), ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

- b) Resolution KB-1844-2011 KBIC IRR TTIP (Indian Reservation Roads - Tribal Transportation Improvement Plan) [Delete]

[Old Business]

3. Larry Denomie III, CEO – Re-Hire Policy Amendment and Hiring Committee Recommendation

MOTION MADE BY EDDY EDWARDS TO APPROVE OPTION #2, WHICH WOULD AMEND THE OJIBWA CASINO POLICY SECTION 19.3 NUMBER 3 AND ADOPT THE ENTIRE SECTION 19.3 FOR THE GOVERNMENTAL PERSONNEL POLICY AS FOLLOWS: “IT IS THE POLICY OF THE OJIBWA CASINOS AND THE KBIC TO ALLOW THE REHIRING OF AN INDIVIDUAL WHO WAS DISMISSED FOR AN ACT OF THEFT, AS DEFINED IN THE ZERO TOLERANCE FOR THEFT POLICY, ONE YEAR FOLLOWING THE DATE OF THE TERMINATION AND AFTER ALL COURT ORDERED REQUIREMENTS HAVE BEEN COMPLETED IF A CONVICTION RESULTED DUE TO ACT OF THEFT”. SUPPORTED BY GARY F. LOONSFOT, SR. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

[New Business]

3. Judy Heath, Social Services Director – Resolution KB-1845-2011 Title IV-B Grants Stefanie Tubbs Jones Child Welfare Services and Promoting Safe and Stable Families

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1845-2011 TITLE IV-B GRANTS STEFANIE TUBBS JONES CHILD WELFARE SERVICES AND PROMOTING SAFE AND STABLE FAMILIES. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

4. Susan LaFERNIER, Secretary (not present) – An Invite/Request from The Cedar Tree Institute for a Workshop and a Celebration of the 2011 Wings & Seeds Zaagkii Project Native Plants and Pollinator Protection Initiative on July 13, 2011 in Marquette

MOTION MADE BY EDDY EDWARDS TO APPROVE A DONATION TO THE CEDAR TREE INSTITUTE FOR THE ZAAGKII PROJECT 2011 IN THE AMOUNT OF \$2,400.00. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

5. Elizabeth Mayo – Government Employee Picnic

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE AUGUST 5, 2011 AS A HOLIDAY FOR THE GOVERNMENT EMPLOYEE PICNIC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

6. President Swartz – Donation Request for the Eagle’s Auxiliary Women’s Fishing Tournament – July 9, 2011

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE A DONATION \$500.00 TO THE EAGLES AUXILIARY FOR THE WOMEN’S FISHING TOURNAMENT. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

K. Closed Session:

1. Jacki Skytta, Ojibwa Casinos Marketing Manager – Curtis Productions Services Agreement
2. John Baker, Attorney
3. Susan LaFERNIER, Secretary – Update on Appeal Hearing

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:02 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Susan J. LaFERNIER), MOTION CARRIED.

Break: 11:03 – 11:17 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:22 P.M. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFernier), MOTION CARRIED.

Curtis Productions LLC Services Agreement – stage, sound, lighting, and related services and equipment for the Casino tent summer activities

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE CURTIS PRODUCTIONS SERVICES AGREEMENT. SUPPORTED BY WILIAM E. EMERY. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFernier), MOTION CARRIED.

Accuity Agreement – Ojibwa Casinos

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE FULL RELEASE AND SETTLEMENT OF CLAIMS AGREEMENT BETWEEN ACCUITY AND KBIC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFernier), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 12:24 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Susan J. LaFernier), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist