

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

- A. Date: June 9, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer and an Ojibwe Prayer by Dale Shalifoe
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
William E. Emery, Vice President  
Toni J. Minton, Assistant Secretary  
Eddy Edwards, Treasurer  
Fred Dakota (left at 11:00 a.m.)  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Sr.  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo (left at 10:52 a.m.)  
Isabelle Helene Welsh (arrived at 9:26 a.m., left 11:05 – 11:20 a.m.)
- Absent: Susan J. LaFernier, Secretary  
Jerry Lee Curtis
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 9, 2011
- |            |                 |                                                                         |
|------------|-----------------|-------------------------------------------------------------------------|
| Additions: | FYI-            | 5. Indian Housing Plan/Budget for Review                                |
|            | Old Business-   | 2. President Swartz – EPA Treatment as a State for Water Quality Update |
|            |                 | 3. Fred Dakota – Mt. Pleasant Update                                    |
|            | Closed Session- | 7. Eddy Edwards – Staffing Issue/Idea                                   |

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

G. For Your Information:

1. June 1, 2011 Random Drug Testing Report - Government
2. Governmental Hiring Procedures for Review
3. Final Schedule for Water Walkers in Bad River June 10-11, 2011 from the Three Fires Society
4. Robert Mudd, Baraga Casino General Manager – Sprung Structure For Review
5. Indian Housing Plan/Budget for Review

H. Approval of Meeting Minutes:

**Isabelle Welsh arrived at 9:26 a.m.**

1. October 21, 2010

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE OCTOBER 21, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFerner, Jerry Lee Curtis), MOTION CARRIED.**

2. October 28, 2010 – changes made on page 3 (add Mike’s stated opposition) and page 5 (change Eddy’s motion to read “avoid putting on Tribal Residential Leases”)

**MOTION MADE BY FRED DAKOTA TO APPROVE THE OCTOBER 28, 2010 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFerner, Jerry Lee Curtis), MOTION CARRIED.**

3. November 4, 2010

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NOVEMBER 4, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, 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, TWO ABSENT (Susan J. LaFerner, Jerry Lee Curtis), MOTION CARRIED.**

4. November 6, 2010

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE NOVEMBER 6, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Susan J. LaFernier, Jerry Lee Curtis), MOTION CARRIED.**

I. Recognize Scheduled Delegation/Individuals:

1. Deanna Hadden – Recovery Club [Not present]

J. Old Business:

1. Janice Halverson, CAP Administrator – CNAP Policy Issue regarding Non-Native Medical Applicant Eligibility

The Council explained their intention of the policy. A work group will be reviewing the policy. (Susan LaFernier, Elizabeth Mayo, Isabelle Welsh, Janice Halverson, Larry Denomie, Sarah Maki, and Peggy Minton)

**Break: 10:20 – 10:35 a.m.**

2. Fred Dakota – Mt. Pleasant Update

Fred viewed the cigarette machine in Mt. Pleasant and did a “walk-through” and he feels it will be profitable for the Tribe to roll our own cigarettes to sell.

**Elizabeth Mayo left at 10:52 p.m.**

3. President Swartz – EPA Treatment as a State for Water Quality Update

Todd Warner is working on this as instructed from the Council meeting held on May 19, 2011.

K. New Business:

1. Bruce LaPointe, Projects Manager –
  - a) 2011 I.H.S. Sanitary Deficiency System (SDS) Project List and Priority
  - b) Spring 2012 Sanitary Deficiency System (SDS) Funding for Scattered Dumpsite Cleanup

**Fred Dakota left at 11:00 a.m.**

**MOTION MADE BY TONI J. MINTON TO APPROVE THE 2011 SDS PROJECT LIST AS DISCUSSED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFERNIER, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

**Isabelle Welsh left at 11:05 a.m.**

2. Judy Heath, Social Services Director – Promotion to Full-time – Isabelle Welsh promotion to full-time Foster Care Coordinator from Prevention Worker

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO PROMOTE ISABELLE WELSH TO THE POSITION OF FOSTER CARE COORDINATOR AT A GRADE 10 WITHIN THE TRIBAL SOCIAL SERVICES DEPARTMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Susan J. LaFERNIER, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.**

3. Eddy Edwards, Treasurer – 1<sup>st</sup> Reading Proposed Limited Liability Company Code 2011-03

**MOTION MADE BY EDDY EDWARDS TO INTRODUCE THE PROPOSED LIMITED LIABILITY COMPANY CODE 2011-03 AND TO WAIVE THE 1<sup>ST</sup> READING. SUPPORTED BY GARY F. LOONSFOOT, SR. FIVE IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFERNIER, Sr.), FIVE ABSENT (Susan J. LaFERNIER, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.**

**MOTION MADE BY WILLIAM E. EMERY TO POSTPONE THE REGULAR COUNCIL MEETING SCHEDULED FOR JULY 2, 2011 TO JULY 9, 2011. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Gary F. Loonsfoot, Sr.), ABSTAINING - 0, FIVE ABSENT (Susan J. LaFERNIER, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), MOTION CARRIED.**

The 2<sup>nd</sup> Reading for Proposed Limited Liability Company Code 2011-03 is scheduled for July 9, 2011 at 10:00 a.m.

4. Todd Warner, NRD –
  - a) Former Tribal Construction Company (TCC) Property Use – The Council consensus is to allow Todd to use the TCC west portion property for native plantings from the greenhouse.

- b) 2011 Summer Youth Activities – The Summer Youth Conservation Crews are starting next week. If Council has any activities in particular they would like the kids to help with over the next 8 weeks they should notify Todd.
- c) Lake Superior Day Activities/Erin Johnston – (July 15, 2011) Activities include cleaning up beaches, pot luck barbeque, water quality assessment, invasive plant species control, and native planting as well as other outreach activities.

**Isabelle Welsh returned at 11:20 a.m.**

- 5. Carole LaPointe, Health Director – Resolution KB-1833-2011 Great Lakes Inter Tribal Council Epidemiology Center Cooperative Agreement which authorizes the Center to apply for the 2011-2016 I.H.S. Cooperative Agreement and continue to serve Bemidji Area Tribes Service Units and Urban Indian Health Programs

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1833-2011 GREAT LAKES INTER TRIBAL COUNCIL EPIDEMIOLOGY CENTER COOPERATIVE AGREEMENT. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

L. Closed Session:

- 1. Todd Warner, NRD - UPPCO Agreement for Installation of electrical service at Walleye Ponds
- 2. Jacki Skytta, Casinos Marketing Manager –
  - a) U.P. – Cage Fighting Entertainment Agreement
  - b) Croatian Village Services Agreement
- 3. Jim Stingle, Grant Writer – Geoff Bowman Architects, P.C. Consultant Agreement
- 4. Lisa Denomie, Pre-Primary Program Director – Budget Modification
- 5. President Swartz
- 6. Ed Janisse, Eagle Radio Station Manager – Broadcast Electronics, Inc. Services Agreement
- 7. Eddy Edwards – Staffing Issue/Idea

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:42 A.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 12:25 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Wisconsin Public Service UPPCO – Distribution Facilities Installation Agreement

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE UPPCO AGREEMENT FOR INSTALLATION OF ELECTRIC SERVICE AT THE WALLEYE PONDS IN THE AMOUNT OF \$5,006.20. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Upper Peninsula Cage Fighting Event Entertainment Agreement – Baraga Casino September 10, 2011 for \$27,100.00

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE ENTERTAINMENT AGREEMENT WITH UPPER PENINSULA CAGE FIGHTING, LLC FOR THE CASINO EVENT. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Croatian Village II, LLC Services Agreement – Catering Services July 10, 2011 for \$1,310.00

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE CROATIAN VILLAGE II, LLC SERVICES AGREEMENT FOR THE MARQUETTE CASINO EVENT. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Geoff Bowman Architects P.C. Consultant Agreement – Schematic design documents for the grant application for the proposed Zeba Community Center - \$1,200.00

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE CONSULTANT AGREEMENT WITH GEOFF BOWMAN ARCHITECTS, P.C. AND KBIC FOR THE ZEBE HALL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Pre-Primary Budget Modification – transfers one full-time employee wage and benefits from CCDF Grant to 418 because of Congressional cuts

**MOTION MADE BY ISABELLE H. WELSH TO APPROVE THE PRE-PRIMARY PROGRAM'S BUDGET MODIFICATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Broadcast Electronics Inc. Services Agreement – Audio Vault Services for the radio stations \$5,000.00 plus travel

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE BROADCAST ELECTRONICS INC. SERVICES AGREEMENT. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

M. Adjournment:

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 12:30 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist