

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – APRIL 14, 2011 – 9:00 A.M.**

- A. Date: April 14, 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  
Susan J. LaFerner, Secretary  
Toni J. Minton, Assistant Secretary  
Jerry Lee Curtis  
Fred Dakota  
Michael F. LaFerner, Sr. (arrived at 9:28 a.m.)  
Gary F. Loonsfoot, Sr. (left at 2:02 p.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo  
Isabelle Helene Welsh  
Absent: Eddy Edwards, Treasurer
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: April 14, 2011

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

- G. For Your Information:

1. Gaming Commission Meeting Minutes 2/2/11, 2/9/11, 2/16/11

2. Proposed Amendments to the Constitution of the Great Lakes Indian Fish and Wildlife Commission – Susan LaFernier would like the Council to have a copy of the Constitution
3. Updated Charter of the Great Lakes Indian Fisheries Committee

H. Old Business:

1. Sarah Maki, Assistant CEO/Cody Blue, OVW Administrative Assistant - Women of OVW House Recommendation – Their recommendation is the yellow Even Start house. The factors considered were the physical condition of the houses, the geographical location, and the renovation time. It is a 3-year grant and it has been a year and a half to date.

**MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE OVW PROGRAM TO THE YELLOW EVEN START HOUSE. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.**

2. Eddy Edwards, Treasurer – Schedule 3<sup>rd</sup> Readings – [Not present] – One year has lapsed and these must be re-introduced.
  - a) Proposed Land Assignment Ordinance 2010-02
  - b) Proposed Mortgage Foreclosure and Eviction Ordinance 2010-03
3. President Swartz – Committee Selections

Powwow Committee – (6) seats – (Three-year terms)

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE MELISSA KOEPP, LINDSEY LOONSFOOT, MELINDA ROBERTS, TRACY EMERY, MONICA KOHN, AND ELVERA LANTZ FOR THE SIX SEATS ON THE POWWOW COMMITTEE FOR THREE-YEAR TERMS EFFECTIVE APRIL, 2011. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.**

Hiring Committee – (1) seat is for a 3-year term and (1) vacancy is to fulfill Janice Halverson’s term ending April, 2013 as she resigned

**MOTION MADE BY ELIZABETH D. MAYO TO APPOINT ROGER DUSCHENE TO THE HIRING COMMITTEE FOR A THREE-YEAR TERM EFFECTIVE APRIL, 2011. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.**

Mike LaFerner, Sr. arrived at 9:28 a.m.

**MOTION MADE BY FRED DAKOTA TO APPOINT LAWRENCE SWARTZ TO THE HIRING COMMITTEE TO FILL THE VACANCY EFFECTIVE APRIL, 2011 TO APRIL, 2013. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Toni J. Minton, Gary F. Loonsfoot, Sr.), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

Natural Resource Committee – (2) seats – (Three-year terms)

**MOTION MADE BY FRED DAKOTA TO APPOINT LAWRENCE SWARTZ TO THE NATURAL RESOURCE COMMITTEE FOR A THREE-YEAR TERM EFFECTIVE APRIL, 2011. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, 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, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

**MOTION MADE BY ISABELLE H. WELSH TO APPOINT CHARLOTTE LOONSFOOT TO THE NATURAL RESOURCE COMMITTEE FOR A THREE-YEAR TERM EFFECTIVE APRIL, 2011. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

Parks and Recreation Committee – (3) seats – (Two-year terms)

**MOTION MADE BY ISABELLE H. WELSH TO APPOINT EVELYN RAVINDRAN, ALLEN GAUTHIER, AND DOMINIC PICCIANO TO THE PARKS AND RECREATION COMMITTEE EFFECTIVE APRIL, 2011. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, 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, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

Youth Committee – (4) seats – (Two-year terms)

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPOINT CECELIA CHOSA DOWD, GARY LOONSFOOT, JR., VICKY MLEKO, AND WILLIAM JONDREAU TO THE YOUTH COMMITTEE EFFECTIVE APRIL, 2011. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, 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, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

Toni Minton stated that two committees, Youth and ICWA (Indian Child Welfare), require security background checks and suggested these be completed before it comes to the Council.

ICWA Vacancy – (1) seat to fulfill Paul Halverson’s term ending March, 2012, as he resigned.

**MOTION MADE BY ELIZABETH D. MAYO TO APPOINT WANDA SEPPANEN TO FULFILL PAUL HALVERSON’S SEAT ON THE ICWA COMMITTEE PER PRESIDENT SWARTZ RECOMMENDATION, TERM ENDING MARCH, 2012. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

I. New Business:

1. Larry Denomie III, CEO - Resolution KB-1804-2011 Constitution Committee/By-Laws

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1804-2011 CONSTITUTION COMMITTEE AND BY-LAWS. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

**Fred Dakota left at 9:40 a.m.**

2. Jean Jokinen, Grant Writer – Resolution KB-1822-2011 Department of Justice Coordinated Tribal Assistance Solicitation Grant (CTAS) for up to 1.95 million for a 3 year project and will apply for (4) purpose areas

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1822-2011 DEPARTMENT OF JUSTICE COORDINATED TRIBAL ASSISTANCE SOLICITATION GRANT. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Fred Dakota), MOTION CARRIED.**

3. Dale Shalifoe, Executive Gaming Director –

- a) KBIC KIOSK TICS Final Approval Request – The Gaming Commission approved the TICS on April 16, 2011

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

**Fred Dakota returned at 9:52 a.m.**

b) Promotional Activities TICS Final Approval Request

**MOTION MADE BY TONI J. MINTON TO APPROVE THE PROMOTIONAL ACTIVITIES TICS. SUPPORTED BY ISABELLE H. WELSH. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, 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, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

4. Isabelle Welsh – Schedule 3<sup>rd</sup> Reading Proposed SORNA Ordinance 2011-01

The 3<sup>rd</sup> Reading is scheduled for April 21, 2011 at 1:15 p.m.

Gary Loonsfoot, Sr. would like to reconsider the motion regarding the Promotional Activities TICS.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO RECONSIDER THE PREVIOUS MOTION ON THE PROMOTIONAL ACTIVITIES TICS. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), TWO OPPOSED (Toni J. Minton, Isabelle H. Welsh), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

**MOTION MADE BY SUSAN J. LAFERNIER TO TABLE THE MOTION ON THE FLOOR REGARDING PROMOTIONAL ACTIVITIES TICS UNTIL NEXT WEEK FOR MORE REVIEW. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, 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, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

5. Bruce LaPointe, Project Manager – Tribal Surplus Property Auction

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TRIBAL SURPLUS PROPERTY AUCTION. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFerner, Sr.), TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

(Jerry Lee Curtis was out of the room)

J. Closed Session:

1. Bruce LaPointe, Project Manager – Public Works Department Staff Transfer and Location Proposal
2. Kathy Mayo, Community Health Director [Not present]/Elizabeth Mayo - Dale Schmeisser Services Agreement
3. John Baker, Attorney
4. Larry Denomie III, CEO – Radio Station General Manager Position
5. Susan LaFernier, Secretary – Schedule Government Employee Grievance Hearing Case #002-11

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:20 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Jerry Lee Curtis), MOTION CARRIED.**

(Jerry Lee Curtis is out of the room)

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 10:55 A.M. SUPPORTED BY ISABELLE H. WELSH. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

Dale Schmeisser, R.D., Ph.D. Services Agreement – Services for the Community’s Diabetes Program

**MOTION MADE BY JERRY LEE CURTIS TO APPROVE DALE SCHMEISSER’S SERVICES AGREEMENT. SUPPORTED BY ISABELLE H. WELSH. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.**

**Break: 10:58 – 11:15 a.m.**

K. Recognize Scheduled Delegation/Individuals:

1. Joe Gough, Jr./Joe Gough, Sr./John Grapenstein – Millionaire Greetings PowerPoint Presentation/Gregg Nominelli/Economic Development Committee

**Gary Loonsfoot, Sr. returned from break at 11:22 a.m.**

**Toni Minton returned from break at 11:26 a.m.**

Lottery greeting cards were presented to the Council and an offer to provide online gaming. They will need an answer by July 1.

**MOTION MADE BY JERRY LEE CURTIS TO GO INTO CLOSED SESSION AT 12:00 P.M. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, 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 (Eddy Edwards), MOTION CARRIED.**

**Lunch: 12:01 – 1:10 p.m.**

**Gary Loonsfoot, Sr. left at 2:02 p.m.**

**Break: 2:47 – 3:00 p.m.**

**MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 3:28 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Radio Station General Manager Position -

**MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE POSITION TO ED JANISSE FOR THE RADIO STATION GENERAL MANAGER ON A YEAR-TO-YEAR CONTRACT BASED ON FINANCIALS BECAUSE OF THE IMMEDIATE BUSINESS NECESSITIES OF THE RADIO STATION. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (William E. Emery, Susan J. LaFernier, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), FOUR OPPOSED (Toni J. Minton, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Judy Smith Personnel Issue –

**MOTION MADE BY ELIZABETH D. MAYO TO DENY THE REQUEST OF JUDY SMITH FOR BACK-PAY ON RETIREMENT BASED ON THE FACTS THAT WERE PRESENTED TO THE COUNCIL ON THE OLD RETIREMENT BALANCES WHICH SHOW SHE WAS PAID HER RETIREMENT. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO ABSENT (Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY FRED DAKOTA TO ADJOURN AT 3:45 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist