

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 25, 2011 – 9:00 A.M.**

- A. Date: August 25, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:09 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left at 11:58 a.m.)
William E. Emery, Vice President
Susan J. LaFerner, Secretary
Toni J. Minton, Ass’t Secretary (arrived at 9:50 a.m., left 1:09 – 1:32 p.m.)
Eddy Edwards, Treasurer (left 1:09 – 1:25 p.m.)
Fred Dakota
Michael F. LaFerner, Sr. (arrived at 9:10 a.m.)
Gary F. Loonsfoot, Sr. (arrived at 9:17 a.m., left at 2:30 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 9:21 a.m., left at 3:04 p.m.)
- Absent: Jerry Lee Curtis
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 25, 2011
- Addition: Old Business- 1. Eddy Edwards, Treasurer – KBIC Canal Land Claims

Mike LaFerner, Sr. arrived at 9:10 a.m.

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

G. For Your Information:

1. Dan Ashe sworn in as 16th Director of the U.S. Fish and Wildlife Service
2. U.P. 2-1-1 Call Center Resource Database Brochure/Letter
3. Madeline Island Anishinaabeg Biennial Gathering September 23-25, 2011
4. A letter from residents of Zeba Trailer Court concerning aggressive dogs
5. Native American Language Preservation Grant not selected for funding – (Debi Williamson Turtle Island Cultural Services non-profit program applied and awarded this grant)

Gary Loonsfoot, Sr. arrived at 9:17 a.m.

Isabelle Welsh arrived at 9:21 a.m.

H. Closed Session:

1. John Baker, Attorney –
 - a) McKesson/EnterpriseRx Application Service Provider Contract Supplement
 - b) Mining Issue
2. Bruce LaPointe, Projects Manager – Personnel Issue
3. Sarah Maki, Assistant CEO – THPO Applicants

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 9:30 A.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, 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 (Toni J. Minton, Jerry Lee Curtis), MOTION CARRIED.

Toni Minton arrived at 9:50 a.m.

Break: 10:55 – 11:09 a.m. – Isabelle Welsh left the meeting

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO OPEN SESSION AT 11:10 A.M. SUPPORTED BY WILLIAM E. EMERY. NINE 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, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Tribal Historic Preservation Office (THPO) Director Position -

MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE THPO DIRECTOR POSITION TO CHRISTOPHER CHOSA AT \$16.33 PER HOUR AS HE MEETS ALL THE REQUIREMENTS AND THE OTHER TWO APPLICANTS DO NOT. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), THREE OPPOSED (Susan J. LaFerner, Toni J. Minton, Michael F. LaFerner, Sr.), ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Mike LaFerner, Sr. stated his opposition: He feels all three applicants should have been interviewed.

Toni Minton concurs.

Susan LaFerner concurs and stated all should have been interviewed as it’s been done in the past.

Youth Work Placement and Reimbursement Agreement – The agreement is for employers who wish to use our youth workers and reimburse Youth under the age of 18 for up to 30 hours per week

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE YOUTH WORK PLACEMENT AND REIMBURSEMENT AGREEMENT. SUPPORTED BY SUSAN J. LAFERNIER. NINE 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), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh returned from break at 11:13 a.m.

McKesson/EnterpriseRx Application Service Provider Contract Supplement – Script Software

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE MCKESSON ENTERPRISE RX APPLICATION SERVICE PROVIDER CONTRACT SUPPLEMENT. SUPPORTED BY SUSAN J. LAFERNIER. 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.

Dykema Retention Letter – Representation Concerning the Two-Part Application for Gaming in Negaunee Township

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE DYKEMA RETENTION LETTER FOR R. LANCE BOLDREY AND AUTHORIZE THE TRIBAL ATTORNEY OR TRIBAL PRESIDENT TO SIGN. SUPPORTED BY WILLIAM E. EMERY. 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), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Heather Funke Letter regarding Dogs in the Zeba Trailer Court -

MOTION MADE BY EDDY EDWARDS TO TERMINATE THE LEASE AND GIVE A THIRTY-DAY NOTICE TO HEATHER FUNKE FOR CONTINUED CRIMINAL ACTIVITY AND HEALTH AND SAFETY ISSUES IN THE TRAILER PARK. SUPPORTED BY WILLIAM E. EMERY. THREE IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards), FIVE OPPOSED (Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), TWO ABSTAINING (Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE ABSENT (Jerry Lee Curtis), MOTION DEFEATED.

MOTION MADE BY ELIZABETH D. MAYO TO SEND A LETTER TO HEATHER FUNKE STATING SHE HAS ONE WEEK TO GET RID OF HER DOGS AND SHE IS NO LONGER TO HAVE DOGS OR THE COUNCIL WILL TERMINATE HER LEASE IN THE TRAILER PARK IN 30 DAYS. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Susan J. LaFernier, Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

I. Old Business:

1. Eddy Edwards, Treasurer – KBIC Canal Land Claims

MOTION MADE BY GARY F. LOONSFOOT, SR. TO HIRE BRUCE R. GREEN (ATTORNEY) FOR AN UPDATED LEGAL OPINION ON THE KBIC CANAL LAND CLAIMS AND PROVIDE HIS RESPONSE TO THE TRIBAL CHAIRMAN. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS.

Mr. Baker stated there was an extensive report done by Heather Howard Ph.D. and James McClurken Ph.D. in 2007 “Canal Lands on the L’Anse Reservation and Chippewa Use and Occupancy of the Keweenaw Bay Region.” (6 volumes) Dorsey was also involved with this issue prior. It was suggested that we wait for the decision and two-part application with the Marquette Airport Casino.

Gary Loonsfoot, Sr. and Elizabeth Matthews withdrew the motion.

Lunch: 11:58 a.m. – 1:09 p.m.

President Swartz left at 11:58 a.m.

(Vice President Emery is Chairing the meeting)

2. Jodene Rasanen, Summer Youth Program Coordinator – (Summer) Employment Program Youth Policy Handbook Revisions

Eddy Edwards returned from lunch at 1:25 p.m.

Toni Minton returned from lunch at 1:32 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE (SUMMER) KBIC YOUTH EMPLOYMENT PROGRAM POLICY HANDBOOK WITH THE REVISIONS. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFernier, 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 (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

Break: 2:00 – 2:10 p.m.

3. Elizabeth Matthews – LVD Wild Rice Camp Request September 9-11, 2011 LVD Powwow Grounds

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE \$125.00 TO EACH KBIC TRIBAL MEMBER THAT IS REGISTERED TO ATTEND THE WILD RICE CAMP AND TO TURN IN RECEIPTS. SUPPORTED BY TONI J. MINTON. FOUR IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), FIVE OPPOSED (Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION DEFEATED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$125.00 PER KBIC HOUSEHOLD, LIMITED TO TWENTY PEOPLE, TO ATTEND THE WILD RICE CAMP AND TO TURN IN RECEIPTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Susan J. LaFernier, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), FOUR OPPOSED (Toni J. Minton, Eddy Edwards, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

J. New Business:

1. Debbie Parrish, KBOCC President – Space Allocation Needs (Cancelled)

2. Ken Marshall, GIS Project Manager - Capital Equipment Purchase

MOTION MADE BY EDDY EDWARDS TO APPROVE THE CAPITAL EXPENDITURE TO CDW-G IN THE AMOUNT OF \$24,400.00 FOR THE FIBER OPTIC PROJECTS AT THE HEALTH CLINIC AND TRIBAL CENTER. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Elizabeth D. Mayo), MOTION CARRIED.

(Elizabeth Mayo is out of the room)

Gary Loonsfoot, Sr. left at 2:30 p.m.

3. Pam Nankervis, Wildlife Biologist – Resolution KB-1852-2011 U.S. Fish and Wildlife Service/Tribal Wildlife Grant Program to target surveillance of culturally significant and protected wildlife species

MOTION MADE BY ISABELLE H. WELSH TO APPROVE RESOLUTION KB-1852-2011 U.S. FISH AND WILDLIFE SERVICE AND TRIBAL WILDLIFE GRANT. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

4. Todd Warner, NRD –

- a) Used Tire Collection Proposal – Proposed dates: September 22-24, 2011

MOTION MADE BY EDDY EDWARDS TO APPROVE THE USED TIRE COLLECTION PROPOSAL WITH THE FIRST FOUR TIRES FREE PER PARTICIPANT AND \$2.00 PER EXTRA TIRE. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

- b) Sand Point Wetland Information – FYI on size, plants, and permitting considerations for filling a wetland

Isabelle Welsh left at 3:04 p.m.

c) Hatchery Monitoring and Alarm System Quote

MOTION MADE BY EDDY EDWARDS TO APPROVE ALTRONEX CONTROL SYSTEMS QUOTE IN THE AMOUNT OF \$53,153.00 FOR THE INSTALLATION OF A MONITORING AND ALARM SYSTEM IN THE NATURAL RESOURCES DEPARTMENT BUILDING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

d) Tribal Mining Workshops - Council Member Travel Funds – September 12-14, 2011 at Odanah, WI and September 20-21, 2011 at Odanah, WI.

William Emery and Susan LaFerner will attend the GLIFWC meeting.

5. Diana Chaudier, Election Board Chair – Election Timelines for the 2011 Primary Election on November 5, 2011 and the General Election on December 17, 2011

MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE OCTOBER 1ST MEETING TO OCTOBER 8TH AT 10:00 A.M. IN MARQUETTE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE 2011 ELECTION TIMELINES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 3:24 P.M. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist