

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MARCH 11, 2010 – 9:00 A.M.

- A. Date: March 11, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:18 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFernier, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer (arrived at 11:05 a.m.)
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 11:22 a.m., left at 11:55 a.m.)
Gary F. Loonsfoot, Sr. (left 1:10 – 1:26 p.m., left at 2:45 p.m.)
Elizabeth D. Mayo (left at 5:00 p.m.)
Toni J. Minton
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 11, 2010
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| Additions: | FYI-
New Business- | 2. Susan LaFernier – Updates
9. President Swartz –
a) Nanny Beck Donation Request
b) Move April 3, 2010 Meeting to April 10, 2010
c) 4 th of July Update
d) Sponsor Request from Ontonagon School |
| Move: | Old Business- | 2. Closed Session – Isabelle Welsh |
| Additions: | Closed Session- | 3. John Baker, Attorney – Updates |
| Deletions: | New Business- | 2. Jason Ayres – Resolution KB-1737-2010
7. Casino Projects Task Force Presentation |

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

G. For Your Information:

1. Proposed KBIC Newsletter Guidelines – Review – Schedule for March 25, 2010 Meeting
2. Susan LaFerner – Updates – New Council Picture on March 18, 2010 (for the Gazette Ad – Progress 2010 Section) and KBIC Logos. Four wooden logos have arrived and eight more are coming. Council needs to decide what color and what type of wood they prefer.

H. New Business:

1. Vince Rose, Employee Benefits Agency/Jim Nardi/Francis LaPointe - Blue Cross Health Insurance Renewal Options

Break: 10:50 – 11:05 a.m.

Eddy Edwards arrived at 11:05 a.m.

Mike LaFerner, Sr. arrived at 11:22 a.m.

BC/BS Renewal Changes Enterprise Employees -

MOTION MADE BY EDDY EDWARDS TO CHANGE THE ENTERPRISES HEALTH COVERAGE FROM CB10 TO CB15 WITH THE \$30 OFFICE VISIT AND \$30 CHIROPRACTOR AND \$150 ER CO-PAY. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Michael F. LaFerner, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Elizabeth Mayo stated her opposition: She would have liked to see other options and proposals from other health insurance companies.

BC/BS Renewal Changes Government Employees -

MOTION MADE BY EDDY EDWARDS TO CHANGE THE PLAN FOR GROUP 48255 FROM CB10 TO CB15 WITH THE \$30 OFFICE VISIT AND \$30 CHIROPRACTOR AND \$150 ER CO-PAY. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Michael F. LaFerner, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Elizabeth Mayo stated her opposition: She would have liked to see other options and proposals from other health insurance companies.

Larry Denomie III, CEO asked if the employee portion should be raised and Frances LaPointe stated that if there are other plans to bring to him to review.

MOTION MADE BY EDDY EDWARDS TO MAKE THE EMPLOYEE PORTION AT 10% OF WHAT THE PREMIUM IS. MOTION DIED FOR LACK OF SUPPORT.

2. Todd Warner, NRD –

a) Commercial Fishing License Applications Review 2010-2011 (21)

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE TWENTY-ONE APPLICANTS FOR COMMERCIAL FISHING LICENSES PENDING BOAT SAFETY INSPECTIONS, HACCP CERTIFICATION, OUTSTANDING CATCH REPORTS, AND PAYMENT OF OUTSTANDING FINES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (William E. Emery, 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.), ABSENT - 0, MOTION CARRIED.

Lunch: 11:55 a.m. – 1:10 p.m.

Mike LaFerner, Sr. left at 11:55 a.m.

b) Keweenaw Bay Indian Community-U.S. EPA Region 5 Draft – Tribal Environmental Program Development and Implementation 2010-2012 Agreement Review for planning and assistance purposes with 15 priorities – Jennifer Manville/Charlotte Beesley-Spruce

Gary Loonsfoot, Sr. returned from lunch at 1:26 p.m.

3. Larry Denomie III, CEO/Sarah Smith, Assistant CEO (Not present) – Review and Selection of Architect Bids for Early Childhood Education Center Project (3)

MOTION MADE BY EDDY EDWARDS TO APPROVE INTEGRATED DESIGNS FOR THE ARCHITECTURAL WORK FOR THE EARLY CHILDHOOD EDUCATION CENTER AS PRESENTED AND APPROVE THE AGREEMENT BETWEEN KBIC AND THE ARCHITECT. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFerner, Sr.), MOTION CARRIED.

(Fred Dakota out of the room)

4. Larry Denomie III, CEO –

- a) Project Manager Budget Approval/Modification to the Special Projects Fund #535

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE PROJECT MANAGER BUDGET MODIFICATION FOR AN ADDITIONAL AMOUNT OF \$49,649.00 OUT OF FUND #535. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

(Fred Dakota out of the room)

- b) Proposals for Employee Assistance Program Services – 1) NorthStar Employee Assistance Program and Life Counseling Center (present contract expires April 1st)
2) Ceridian (Corporation)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SERVICE QUOTATION FROM CERIDIAN AND THE AGREEMENT FOR PRODUCT AND SERVICES PENDING THE REVIEW FROM THE ATTORNEY’S OFFICE FOR \$17,634.84. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (William E. Emery, 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, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

5. Kathy Mayo, Community Health Director - Women’s Retreat Contract with M.T.U. (March 12-13, 2010) up to \$3,360.00

MOTION MADE BY EDDY EDWARDS TO APPROVE THE WOMEN’S RETREAT CONTRACT AS PRESENTED. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, 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, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

6. Tom Chosa, Baraga Volunteer Fire Department - Request for Use of Field for Mud Drag Races on May 22

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE USE OF THE FIELD FOR THE BARAGA FIRE DEPARTMENT’S ANNUAL MUD DRAG RACES ON MAY 22. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, 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, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

President Swartz asked Tom Chosa if the Fire Department would be able to do the 4th of July fireworks. Tom will check into this and report back.

Break: 2:31 – 2:45 p.m.

Gary Loonsfoot, Sr. left at 2:45 p.m.

7. President Swartz –

a) Nanny Beck Donation Request - Moving Expense Reimbursement

MOTION MADE BY WILLIAM E. EMERY TO APPROVE \$1,329.17 FOR NANETTE BECK’S MOVING EXPENSES. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Toni J. Minton), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Toni Minton stated her opposition: She feels it is already covered in the Emergency Fund Policy.

b) Colleen DeRoche Donation Request – Colleen received a donation of \$1,124.15 on March 4, 2010 for car repairs and is requesting an additional amount of \$295.54

MOTION MADE BY FRED DAKOTA TO APPROVE COLLEEN DEROCHE’S REQUEST FOR AN ADDITIONAL \$295.54 FOR AUTO REPAIRS. SUPPORTED BY JERRY LEE CURTIS. FOUR IN FAVOR (William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), FIVE OPPOSED (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Toni J. Minton, Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION DEFEATED.

c) Move the Regular April 3, 2010 Meeting to April 10, 2010 due to the Easter Holiday

MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE APRIL 3, 2010 MEETING TO APRIL 10, 2010. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Jerry Lee Curtis), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

d) 4th of July Update – this item was discussed earlier in the meeting with Tom Chosa.

e) Sponsor Request for \$235.00 from Ontonagon High School for advertising businesses on their football schedule – this request will be referred to the Casino by the CEO.

f) Tribal Code Update – Violet Friisvall-Ayres, Associate Judge, prepared the update and
1) It will need to be proofread 2) Council will need to pass a legal resolution recognizing the codification.

By consensus of the Tribal Council, Yvette Friisvall will proofread the Tribal Code at a rate of \$12.00 per hour for approximately 200 hours.

I. Old Business:

1. President Swartz - Schedule the 3rd Reading for Hunting, Fishing, Trapping, and Gathering Ordinance 2009-03 - The 3rd Reading is scheduled for April 10, 2010.
2. Debi Williamson/Monica Kohn – Presentation on Parent and Children Circles Program – Turtle Island Cultural Services, Inc.

MOTION MADE BY EDDY EDWARDS TO TABLE THE REQUEST UNTIL THE COUNCIL RECEIVES MORE INFORMATION ON THE BACKGROUND CHECKS AND THE OTHER CONCERNS DISCUSSED. SUPPORTED BY ISABELLE H. WELSH. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

J. Closed Session:

1. Paul DesRochers, Jr., Economic Development Committee Chair/Gregg Nominelli, Economic Developer – Business Opportunities Presentation
2. Isabelle Welsh – Follow Up on Amanda Bloxten Request
3. John Baker, Attorney – Updates

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 4:03 P.M. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Break: 4:04 – 4:12 p.m.

Elizabeth Mayo left at 5:00 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 5:08 P.M. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 5:10 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist