

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – SEPTEMBER 23, 2010 – 9:00 A.M.**

- A. Date: September 23, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer and prayers for Jerry Swartz who is having surgery
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left at 12:05 p.m.)  
William E. Emery, Vice President  
Susan J. LaFernier, Secretary  
Elizabeth “Chiz” Matthews, Assistant Secretary  
Eddy Edwards, Treasurer (arrived at 9:22 a.m.)  
Jerry Lee Curtis (arrived at 9:20 a.m.)  
Fred Dakota  
Michael F. LaFernier, Sr. (arrived at 9:33 a.m., left at 12:05 p.m.)  
Gary F. Loonsfoot, Sr.  
Elizabeth D. Mayo  
Toni J. Minton (arrived at 9:23 a.m.)  
Isabelle Helene Welsh (arrived at 9:37 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 23, 2010
- Additions: FYI- 3. Funeral Travel CNAP Policy Amendment Motion
- Closed Session- 4. Larry Denomie III, CEO – Personnel Issue

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

**Jerry Lee Curtis arrived at 9:20 a.m.**

**Eddy Edwards arrived at 9:22 a.m.**

**Toni Minton arrived at 9:23 a.m.**

G. For Your Information:

1. LVD-L'Anse Trail Corridor Plan – USDA Forest Service Ottawa National Forest MOU for your review
2. An Invite to the Red Cliff Tribal Council Ground Breaking Ceremony for their New Casino and Hotel Resort October 1, 2010
3. Funeral Travel CNAP Policy Amendment Motion Clarification (9-16-11)

H. New Business:

1. Todd Warner, NRD –
  - a) Sand Point Habitat Restoration Scope of Work

**Mike LaFerner, Sr. arrived at 9:33 a.m.**

**Isabelle Welsh arrived at 9:37 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE WAHMHOFF LAKE SUPERIOR TREE FARM TO DO THE MOBILIZATION AND DEMOBILIZATION, OVERSIGHT QUALITY ASSURANCE, SIGHT PREP, PLANTING, IRRIGATION, AND REVEGETATING THE SOUTHERN PORTION; AND TO UTILIZE IN-HOUSE TO DO THE MOUND SOIL, TOPSOIL, BOULDERS, RECREATION TRAIL EXTENSION TO THE SOUTH, AND COVER SOILS TO THE SOUTH; OR IF NOT IN-HOUSE, UTILIZE INDIAN CONTRACTORS. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- b) Groundwater Sampling Bids and Contractor Selection - AECOM GEO Probe Drilling Services – \$7,650.00

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE AECOM FOR GEO PROBE DRILLING SERVICES TO SAMPLE GROUNDWATER (3) AT THE POWER DAM ROAD PROPERTY AND FORMER DRAPER LAKESHORE PROPERTY. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

2. Bruce LaPointe, Project Manager – Early Childhood Education Center Utility Service Purchase Request

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE MATERIAL AND LABOR COST FOR THE ELECTRIC WORK FOR THE NEW KBIC EARLY CHILDHOOD EDUCATION CENTER BUILDING IN THE AMOUNT OF \$27,047.26 BETWEEN THE COMMUNITY AND THE VILLAGE OF BARAGA. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

(Elizabeth Mayo out of the room)

3. Jason Ayres, Realty Officer –

- a) Resolution KB-1773-2010 IRR Baraga County Road Commission/BIA Co-op Agreement for Roadway Improvement Projects FY2010

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1773-2010 IRR CO-OP AGREEMENT WITH BARAGA COUNTY ROAD COMMISSION PROJECTS FY2010. 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.**

(Mike LaFernier, Sr. is out of the room)

- b) Resolution KB-1774-2010 Charles W. Gauthier Residential Lease on Whirl-I-Gig Road

**MOTION MADE BY TONI J. MINTON TO APPROVE RESOLUTION KB-1774-2010 CHARLES W. GAUTHIER RESIDENTIAL LEASE ON WHIRL-I-GIG ROAD. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

- c) Resolution KB-1775-2010 Land Acquisition/Purchase Agreement – Ford Farm Road - 40 acres - Jeff Fish for \$32,000.00

**MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1775-2010 LAND ACQUISITION FORD FARM ROAD. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Break: 10:15 – 10:30 a.m.**

4. President Swartz – Youth Committee Applicants

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE JEANNE KAUPPILA, CAROLE LAPOINTE, MICHELLE MAKI, AND NANETTE BECK TO THE YOUTH COMMITTEE FOR TWO-YEAR TERMS BEGINNING OCTOBER 2010 CONTINGENT UPON A SATISFACTORY BACKGROUND CHECK. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Elizabeth Mayo and Eddy Edwards were interested in attending as Council Representatives.

Eddy Edwards will be Council Representative on the Youth Committee.

I. Closed Session:

1. John Baker, Attorney –
  - a) Marquette and Baraga Casino Feasibility Analysis – August 2010 by Gaming Market Advisors
  - b) Compact Extension Update
2. Budget Review
3. Sarah Smith, Assistant CEO – Newsletter Independent Contractor Agreement
4. Larry Denomie III, CEO/Pauline Spruce, Personnel Director – Personnel Issue

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 10:44 A.M. OPEN TO TRIBAL MEMBERS FOR BUDGET REVIEWS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Break: 10:55 – 11:05 a.m.**

**Lunch: 12:05 – 1:15 p.m.**

**Mike LaFernier, Sr. left at 12:05 p.m.**

**President Swartz left at 12:05 p.m.**

[Vice President Emery is Chairing]

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:45 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

Lauri Denomie Newsletter Agreement –

**MOTION MADE BY FRED DAKOTA TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT WITH LAURI DENOMIE FOR THE NEWSLETTER. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

Yvette Friisvall Amended and Restated Services Agreement –

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AMENDED AND RESTATED SERVICES AGREEMENT WITH YVETTE FRIISVALL IN PROOFREADING THE RECODIFICATION OF THE CODE. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

Proposed Marquette Airport Casino Business Plan –

**MOTION MADE BY EDDY EDWARDS TO DIRECT STAFF TO PREPARE A BUSINESS PLAN FOR THE PROPOSED MARQUETTE AIRPORT CASINO FOR THE TWO-PART APPLICATION AND IN THAT PLAN STAFF WILL DETERMINE THE COST OF CONSTRUCTION FROM A QUALIFIED FIRM AND PURSUE A REPUTABLE LENDER. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), THREE OPPOSED (Susan J. LaFERNIER, Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

J. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 1:49 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (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, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist