

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
FINANCE/SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – SEPTEMBER 22, 2011 – 9:00 A.M.**

- A. Date: September 22, 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 1:43 – 2:21 p.m.)  
William E. Emery, Vice President  
Susan J. LaFerner, Secretary  
Toni J. Minton, Assistant Secretary  
Eddy Edwards, Treasurer (arrived at 9:12 a.m.)  
Jerry Lee Curtis (left 12:07 – 2:07 p.m.)  
Fred Dakota (left at 1:28 p.m.)  
Michael F. LaFerner, Sr.  
Gary F. Loonsfoot, Sr. (arrived at 9:14 a.m., left at 2:38 p.m.)  
Elizabeth “Chiz” Matthews (left at 12:07 p.m.)  
Elizabeth D. Mayo (left 1:30 – 2:04 p.m.)  
Isabelle Helene Welsh (arrived at 9:37 a.m., left 10:47 – 1:12 p.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 22, 2011
- Addition: Closed Session- 1. Discussion on Council Members Concerns regarding a Face Book Page

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

G. For Your Information:

**Eddy Edwards arrived at 9:12 a.m.**

1. Indian Community Development Block Grant Program Application for Zeba Community Center - Project was not selected for funding
2. Lifeline and Link Up Programs Available to Low-Income Consumers Living on Tribal Lands for discounts on telephone service (information will also be in the Newsletter)
3. A "Thank you" from the Madeline Island Anishinaabeg Gathering Committee and Schedule of Events on September 23-25, 2011

**Gary Loonsfoot, Sr. arrived at 9:14 a.m.**

H. Old Business:

1. Susan LaFerner, Secretary - Approval for Payments of Cigarette Machinery/Installation. The prior motion approved the 30% payment. Total cost: \$325,000.00

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FINAL PAYMENT TO SENECA MANUFACTURING FOR THE CIGARETTE MACHINERY WHICH INCLUDES INSTALLATION, LABOR CHARGES, AND A FOLLOW-UP SITE VISIT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

2. Bruce LaPointe, Project Manager – Well and Septic Bids (2) (See List of Priorities) Schedule A – Individual Water Well Drilling. Schedule B – Individual Water Systems.

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE LARSON WELL DRILLING FOR THE SCHEDULED WELLS AND SEPTICS, SCHEDULE A. IN THE AMOUNT OF \$49,200.00 AND SCHEDULE B. IN THE AMOUNT OF \$16,688.00 AND THE CONSTRUCTION AGREEMENT. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

I. New Business:

1. Bruce LaPointe, Project Manager – Weatherization Program Boiler Installation Bids (3)

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE OJIBWA PLUMBING AND HEATING IN THE AMOUNT OF \$7,686.00 FOR THE BOILER INSTALLATION AT FOSTER GALER'S WHICH WILL INCLUDE REMOVAL OF EXISTING BOILER. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), THREE OPPOSED (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

J. Closed Session:

1. Bruce LaPointe, Project Manager –
  - a) Asphalt Patching Services Agreement (rescheduled)
  - b) J.C.S., Inc. Services Agreement
2. Government Employee Grievance Hearing Case #005-11
3. P resident Swartz – Discussion on Council Members Concerns regarding a Face Book Page
4. Jody Maloney – Even Start Evaluation Contract
5. Jerry Lee Curtis, New Day Director/Christoph Geiger, Deputy Attorney – Burnstick Contract

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 9:34 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

Isabelle Welsh arrived at 9:37 a.m.

Break: 10:19 – 10:35 a.m.

Isabelle Welsh left at 10:47 a.m.

Break: 11:11 – 11:22 a.m.

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 11:23 A.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Susan J. LaFernier, Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.**

(Susan LaFernier and Fred Dakota are out of the room)

[New Business]

2. Chris Chosa, THPO –

- a) Resolution KB-1854-2011 Michigan Anishinabeg Cultural Preservation Repatriation Association Representative Designee
- b) Resolution KB-1855-2011 Native American Graves Protection and Repatriation Act Representative Designee

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE CHRIS CHOSA IN RESOLUTIONS KB-1854-2011 MACPRA REPRESENTATIVE DESIGNEE AND KB-1855-2011 NAGPRA REPRESENTATIVE DESIGNEE. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

3. Diana Chaudier, Election Board Chair - Election Board Alternates – She will be advertising for election workers and inquired if we want to advertise to also select Election Board Alternates.

Council consensus that election workers and Election Board Alternates must be 18 years of age. Diana will post the age limit in the ad.

J.C.S., Inc. – to provide road maintenance services (seal cracks and paint lines)

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICES AGREEMENT BETWEEN KBIC AND J.C.S., INC. SUPPORTED BY SUSAN J. LAFERNIER. NINE 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), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

Grievance Case #005-11 -

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE RETROACTIVE PAY REGARDING THE RECLASSIFICATION IN CASE #005-11 EFFECTIVE 6/27/10 AND TO BE PAID FROM THE GRANT. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

4. John Baker, Attorney – New Business License Application Debra Parrish/Keweenaw Kustoms and Kwik Lube, LLC (previously licensed to her son Richard C. Geroux)

Mike LaFerner, Sr. had concerns regarding money still owed to Tribal Construction Company.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE NEW BUSINESS LICENSE FOR DEBRA PARRISH FOR KEWEENAW KUSTOMS KWIK LUBE, LLC. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFerner, Sr.), TWO ABSENT (Fred Dakota, Isabelle H. Welsh), MOTION CARRIED.**

(Fred Dakota is out of the room)

5. Larry Denomie III, CEO – Weekly Update

[Closed Session]

6. Budget Reviews – (Open to Tribal Members)
  - a) Brigitte LaPointe, TERO
  - b) Sarah Maki, Summer Youth Program
  - c) Janice Halverson, CNAP Guidelines/LIHEAP Plans

7. John Baker, Attorney

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 11:59 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.**

**Elizabeth Matthews left at 12:07 p.m.**

**Lunch: 12:07 – 1:12 p.m.**

**Isabelle Welsh returned at 1:12 p.m.**

**Jerry Lee Curtis left 12:07 – 2:07 p.m.**

**Fred Dakota left at 1:28 p.m.**

**Elizabeth Mayo left 1:30 – 2:04 p.m.**

President Swartz left 1:43 – 2:21 p.m.

Gary Loonsfoot, Sr. left at 2:38 p.m.

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 2:42 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.**

Judith Puncochar Professional Services Agreement – (Even Start) Evaluation Services for the Family Literacy Program

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE EVEN START PROFESSIONAL SERVICES AGREEMENT WITH JUDITH PUNCOCHAR. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr.), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Isabelle H. Welsh), THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:44 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist