

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – APRIL 2, 2011 – 9:00 A.M.**

A. Date: April 2, 2011

B. Call to Order: President Swartz called the meeting to order at 9:00 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
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer
Jerry Lee Curtis
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh
Absent: Fred Dakota

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: April 2, 2011

Additions: New Business-
1. President Swartz – b) Motion to Ratify Telephone Poll
2. Isabelle Welsh – Donation Update for Christina Cardinal

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY WILLIAM E. EMERY. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

G. For Your Information:

1. A "Thank you" from Mrs. Pizziola's 6th Grade Class Baraga Area Schools for Care Packages to the Troops
2. A "Thank you" from Greg Seppanen, Chocolay Township Supervisor for 2% Funds
3. A "Thank you" from Amy Ellenich and the Baraga High School Cheerleaders for Uniforms
4. A "Thank you" from Special Olympics Michigan
5. A "Thank you" from Bruce Rundman, Baraga Area Schools Testing Coordinator for use of the Bingo Hall
6. Financial Report February 28, 2011 Robert Mudd, Baraga Casino General Manager
7. Bemidji Area Office announces \$1 million Lake Superior Surface Water Intake Project at KBIC
8. Notification of Approved Enrollment Applications March 2011 (6)
9. Notification of Retirement Michael F. LaFernier, Sr. Tribal Construction Manager March 31, 2011 – Employment with the Tribe over 30 years
10. Cobell Settlement Informational Meeting rescheduled to April 11, 2011, Monday, at 2:30 p.m. Ojibwa Motel Conference Room
11. Letters of Support for Ed Janisse (3)
12. Phone Polls (2) – March 30, 2011
13. Resolution KB-1804-2011 Constitution Committee/By-Laws for Review

H. President's Report/March 2011 – Verbal Report

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE MARCH 2011 PRESIDENT'S REPORT. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

I. Secretary's Report/March 2011 – available for your review

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE THE MARCH 2011 SECRETARY'S REPORT. SUPPORTED BY TONI J. MINTON. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

J. Treasurer's Report/March 2011 – Verbal Report

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE MARCH 2011 TREASURER'S REPORT. SUPPORTED BY JERRY LEE CURTIS. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

K. CEO's Report/March 2011 [Not present]/Sarah Maki, Assistant CEO – available for your review
[Also available on ojibwa.com]

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE MARCH 2011 CEO'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

L. Department Head Reports – February 2011

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE FEBRUARY 2011 DEPARTMENT HEAD REPORTS. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (Eddy Edwards, Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

M. Recognize Scheduled Delegation/Individuals:

1. Cheryl Dingeldey – Presentation/Donation Request for 7th Annual Adult/Kids Bowling Tournament at Whirl-I-Gig April 30, 2011

MOTION MADE BY EDDY EDWARDS TO APPROVE A \$500.00 DONATION FOR THE 7TH ANNUAL ADULTS/KIDS BOWLING TOURNAMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

N. New Business:

1. President Swartz –
 - a) Resolution KB-1821-2011 regarding Liquor Licenses. This resolution rescinded Resolution KB-1809-2011 and replaced with this substitution to include liquor liability insurance, times of sales, and an applicant shall not be eligible for a Liquor License for any establishment which is located within 500 feet of a church or school unless an objection is not filed.

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1821-2011 LIQUOR LICENSES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE 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 D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Elizabeth "Chiz" Matthews), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

b) Motion to Ratify Telephone Poll

MOTION MADE BY SUSAN J. LAFERNIER TO RATIFY THE ACTIONS TAKEN BY THE TRIBAL COUNCIL DURING A TELEPHONE POLL ON MARCH 30, 2011, ADOPTING A MOTION THAT: "THE OCC EMPLOYEES BE TERMINATED FROM THE KBIC'S 401(K) PLAN, AS OF MARCH 31, 2011 TO ENSURE THE PLAN REMAINS IN COMPLIANCE. SUPPORTED BY ELIZABETH D. MAYO. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Break: 10:00 – 10:10 a.m.

2. Eddy Edwards, Treasurer – March 2011 Donations (See Spreadsheet)

MOTION MADE BY EDDY EDWARDS TO APPROVE THE DONATIONS AS DISCUSSED IN THE AMOUNT OF \$12,000.00. SUPPORTED BY SUSAN J. LAFERNIER. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

O. Closed Session:

1. Judith Smith/Sarah Smith/Evelyn Ravindran – Personnel Issue
2. Interview Selections for Radio Station General Manager

MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION AT 10:35 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE 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, Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 11:34 A.M. SUPPORTED BY WILLIAM E. EMERY. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 11:35 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (William E. Emery, Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Elizabeth D. Mayo), FIVE OPPOSED (Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Isabelle H. Welsh), ABSTAINING - 0, ONE ABSENT (Fred Dakota), TIE VOTE. PRESIDENT SWARTZ STATED IN HIS OPINION THE MOTION IS DEFEATED.

Judith Smith – Personnel Issue/Request

Various amounts were suggested regarding the check that was issued on November 21, 1989.

MOTION MADE BY EDDY EDWARDS TO APPROVE JUDY SMITH'S RETIREMENT REQUEST FOR \$7,700.60 PLUS 3.25% COMPOUNDED ANNUAL INTEREST. SUPPORTED BY JERRY LEE CURTIS.

MOTION MADE BY SUSAN J. LAFERNIER TO TABLE THE REQUEST UNTIL WE HAVE MORE INFORMATION AND THE CALCULATION. SUPPORTED BY ELIZABETH D. MAYO. NINE 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, Elizabeth D. Mayo), ONE OPPOSED (Isabelle H. Welsh), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

P. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 11:45 A.M. SUPPORTED BY SUSAN J. LAFERNIER. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist