

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – SEPTEMBER 29, 2011 – 9:00 A.M.

- A. Date: September 29, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:22 a.m.
- C. Invocation: Lord’s Prayer and Ojibwa Prayer by Dale Shalifoe
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary (left at 12:34 p.m.)
Eddy Edwards, Treasurer (left at 4:00 p.m.)
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr. (left at 2:44 p.m.)
Elizabeth “Chiz” Matthews (left at 2:31 p.m.)
Elizabeth D. Mayo (left 11:43 a.m. – 12:00 p.m.)
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 29, 2011
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| Additions: | FYI- | 5. OHA Financials/Check Registers |
| I. Old Business- | | 1. Gary Loonsfoot, Jr., Language Coordinator – Tribal School and Language Program Survey Project |
| | | 2. Janice Halverson, CAP Director – CNAP Policy Guidelines Review |
| Closed Session- | | 3. Gregg Nominelli, Economic Developer – Cigarette Federal License Update |
| | | 4. Jerry Lee Curtis, New Day Director – Burnstick Contract |
| | | 5. Budget Review (Open to Tribal Members) |

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. ALL 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, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

G. For Your Information:

1. GLIFWC Exhibit “Seasons of the Anishinaabe” and Climatic Change at the Northern Great Lakes Visitors Center in Ashland, Wisconsin on October 11, 2011
2. Random Drug Screen Reports – September 13, 2011
3. NIGA Request for a Presidential Proclamation of Native American Heritage Day and a White House Cultural Event to Incorporate the Sentiments of the Apology Act
4. NIGA Draft Legislation to Stop Taxation of Tribal Education Benefits, Cultural Activities, and other Tribal Government Services
5. OHA Financials

H. New Business:

1. Gary Loonsfoot, Jr., Language Coordinator – KBIC/ANA Language Program – End of Project Report

An evaluation of both language classes and costs were given for review – Immersion and the Master/Apprentice Program

2. Terri Denomie (not present)/Dale Shalfoe – Ojibwemowin Class – the Apprentices would like to continue their language classes with Earl Otchigwanigan and requested \$20,000.00.

Break: 10:35 – 10:55 a.m.

3. Bruce LaPointe, Project Manager – Asphalt Pavement Patching Bids (2) and Services Agreement Approval

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE KCO’S BID IN THE AMOUNT OF \$9,805.00 AND THE SERVICES AGREEMENT. SUPPORTED BY WILLIAM E. EMERY. NINE 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, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Fred Dakota, Elizabeth D. Mayo), ABSENT - 0, MOTION CARRIED.

4. Larry Denomie III, CEO – Weekly Update

Elizabeth Mayo left 11:43 a.m.

5. Todd Warner, NRD/Pam Nankervis –

- a) Consultant Change Order 1 for an additional \$6,000.00 and a total of \$33,200.00 for Janet Marr – Professional Services Agreement to complete a native plant inventory

MOTION MADE BY TONI J. MINTON TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT FOR JANET MARR CHANGE ORDER 1. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

- b) Hatchery Monitoring Well Bids – (3) were sent and (1) bid was returned

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE LARSON WELL AND DRILLING, LLC IN THE AMOUNT OF \$17,235.00 FROM THE BIA WATER PROGRAM FUNDS. SUPPORTED BY WILLIAM E. EMERY. 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, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

- 6. Todd Warner, NRD/Gregg Nominelli, Economic Developer – HUD Sustainable Communities Grant Proposals by Northwest Regional Planning Commission Spooner, WI and Lake Superior Watershed Partnership and other (Participation Requests) for a regional planning grant through HUD for 3 years and a 20% in-kind match (to evaluate 8 key areas)

Elizabeth Mayo returned at 12:00 p.m.

MOTION MADE BY WILLIAM E. EMERY TO SUBMIT A LETTER OF COMMITMENT TO PROVIDE SERVICES OR IN-KIND DONATIONS TO THE INITIATIVE ALONG WITH THE NORTH WEST REGIONAL PLANNING COMMISSION AND LAKE SUPERIOR WATERSHED PARTNERSHIP. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), THREE OPPOSED (Toni J. Minton, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

- 7. Gregg Nominelli, Economic Developer –
 - a) Comprehensive Strategic Plan (PowerPoint Presentation Review Process)
 - b) Cigarette Federal License Update – The corporation ordinance will need to be approved and the license application filed under the corporation or some other entity per Troutman Sanders.

William Emery and Eddy Edwards left at 12:13 p.m.

Toni Minton left at 12:34 p.m.

Break: 12:40 – 1:15 p.m.

[Recognize Scheduled Delegation/Individuals]

1. Jennifer Misegan/Evelyn Ravindran/Valoree Gagnon/Mark Misegan (not present) - Gerry Mantila present – Commercial Fishing Monument/Tribute. The total cost to build is \$7,142.33 and will be erected by the Sand Point flagpole. \$5,000.00 is available from the Natural Resource Committee and Cultural Committee budgets.

Jerry Lee Curtis returned at 1:23 p.m.

Gary F. Loonsfoot, Sr. returned at 1:28 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BALANCE OF \$2,142.00 FROM THE CAMPGROUND MARINA FUNDS FOR THE TRIBUTE TO OUR FISHERMEN MONUMENT. SUPPORTED BY EDDY EDWARDS. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ONE ABSENT (Toni J. Minton), MOTION CARRIED.

I. Old Business:

1. Gary Loonsfoot, Jr., Language Coordinator – Tribal School and Language Program Survey Project

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$11,000.00 TOWARDS THE TRIBAL (CHARTER) SCHOOL AND LANGUAGE PROGRAM SURVEY PROJECT FROM THE ANA LANGUAGE GRANT. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

Don Burnstick Promotions Contract for Service Approval – November 5-6 “Empowering Our Youth: Dealing with the Bullying Issue” Workshop

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$3,100.00 FOR THE PROMOTIONS CONTRACT FOR SERVICES BETWEEN KBIC AND PERFORMER DON BURNSTICK. SUPPORTED BY GARY F. LOONSFOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

Los Tres Amigos (Marquette) Demolition Approval – Restaurant and Garage

MOTION MADE BY EDDY EDWARDS TO APPROVE THE LOS TRES AMIGOS DEMOLITION PROPOSAL. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

2. Janice Halverson, CAP Director – CNAP Guidelines Policy Review – The Council consensus is to leave as is regarding the funeral fund: the family may receive (3) hotel rooms for (3) nights if needed at the President’s discretion and/or the \$1,000.00 allowance and the total Emergency Fund per household per year is \$300.00 and the CAP Director’s decision is final. There were also other changes to Section 1 and 2 and Fire Assistance.

Elizabeth “Chiz” Matthews left at 2:31 p.m.

Gary Loonsfoot, Sr. left at 2:44 p.m.

Budget 2011-2012 Approval –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE 2011-2012 BUDGET AS PRESENTED. SUPPORTED BY EDDY EDWARDS. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Break: 3:28 – 3:40 p.m.

Janice Halverson (continued) – will no longer use the voucher system for Pines gas cards as applicants will be under the medical travel for mileage by referrals from a medical doctor.

Employee 6% Raise Approval –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE A 6% RAISE EFFECTIVE OCTOBER 1, 2011 FOR ALL ELIGIBLE EMPLOYEES ON THEIR ANNIVERSARY DATE. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

CNAP Guidelines Policy Amendments –

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE REVISED CNAP GUIDELINES AS PRESENTED AND DISCUSSED TODAY, EFFECTIVE OCTOBER 1, 2011. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Susan J. LaFerner, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

(Eddy Edwards and Jerry Lee Curtis out of the room)

J. Recognize Scheduled Delegation/Individuals:

2. Latisha McRoy, ANA Coordinator from GLIFWC – Minwaajimo - “Telling A Good Story” Presentation and presented 100 copies of the DVD as a teaching resource.

Encourage your children and elders to use their treaty rights and carry them on.

Jerry Lee Curtis returned at 3:50 p.m.

Eddy Edwards left at 4:00 p.m.

Newsletter Editor Services Agreement –

MOTION MADE BY FRED DAKOTA TO APPROVE THE NEWSLETTER EDITOR SERVICES AGREEMENT FOR 2011-2012. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

K. Closed Session: (Discussed in Open Session)

1. Sarah Maki, Assistant CEO (not present) – Newsletter Editor Services Agreement
2. Bruce LaPointe, Project Manager/Christoph Geiger, Attorney – Los Tres Amigos Demolition Proposal
3. Gregg Nominelli, Economic Developer – Cigarette Federal License Update
4. Jerry Lee Curtis, New Day Director – Burnstick Contract

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:07 P.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist