

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MARCH 4, 2010 – 9:00 A.M.

- A. Date: March 4, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:06 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
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 10:15 a.m., left 1:06 – 1:21 p.m.)
Gary F. Loonsfoot, Sr.
Elizabeth D. Mayo (arrived at 9:12 a.m.)
Toni J. Minton
Isabelle Helene Welsh (arrived at 9:08 a.m.)
Absent: Jerry Lee Curtis
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 4, 2010
- Additions: FYI-
1. President Swartz – Naming LeMays Lake in Baraga County
2. President Swartz – Email from Frank Ettawagezhik - “Kennecott Seeks to Amend Permit”
3. President Swartz – Email from Giwe Martin regarding a Meeting with Don Anderson March 8, 2010
4. President Swartz – Email from Summer Cohen - John Norder Visit on March 9, 2010
- Closed Session- 2. Larry Denomie III, CEO – Personnel Issues/Business Opportunity

Move Closed Session 1. Debra Picciano to New Business 7. a) Department of Energy Weatherization Grant and b) Building Sciences Academy (BAS) Plan

[FYI items discussed as they were listed]

Isabelle Welsh arrived at 9:08 a.m.

Elizabeth Mayo arrived at 9:12 a.m.

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

President Swartz announced an addendum to the Agenda – New Business 7. a) Services Agreement with ECO Hatchery

G. Approval of Meeting Minutes:

1. October 8, 2009

MOTION MADE BY FRED DAKOTA TO APPROVE THE OCTOBER 8, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Eddy Edwards, Toni J. Minton), TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. October 22, 2009 - Elizabeth Mayo referred to page 3 and stated the Council has requested to see the financials from OHA. (Per Ordinance – Quarterly)

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE OCTOBER 22, 2009 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, THREE ABSTAINING (Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr.), TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. October 23, 2009

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE OCTOBER 23, 2009 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), TWO ABSTAINING (Fred Dakota, Gary F. Loonsfoot, Sr.), TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

4. October 29, 2009

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE OCTOBER 29, 2009 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFerner, Eddy Edwards), TWO ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.

H. New Business:

1. Mike Jensen, New Day [Not present] – Resolution KB-1736-2010 Access to Recovery (ATR) – I.T.C. Grant Application - The Council would like the clients prioritized to serve Tribal members or Native American first.

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1736-2010 ACCESS TO RECOVERY I.T.C. GRANT APPLICATION. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.

2. Todd Warner, NRD – EPA Renewable Energy Feasibility Project – Site Selection (3) Brownfield Properties

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE SAND POINT SITE FOR THE NATIONAL RENEWABLE ENERGY LABORATORY FOR THE WIND POWER FEASIBILITY STUDY. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.

3. President Swartz – Schedule Gaming Commissioner Interviews. Larry Denomie, CEO, reviewed the applications and recommended Jennifer Misegan and David Rantanen.

Break: 10:02 – 10:14 a.m.

Mike LaFerner, Sr. arrived at 10:15 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO HIRE THE TWO GAMING COMMISSIONERS THAT MEET THE QUALIFICATIONS AS STATED IN THE ORDINANCE, JENNIFER MISEGAN AND DAVID RANTANEN. SUPPORTED BY FRED DAKOTA. FOUR IN FAVOR (Elizabeth “Chiz” Matthews, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), SIX OPPOSED (William E. Emery, Susan J. LaFerner, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION DEFEATED.

The Council will interview all six applicants on March 18, 2010.

4. Chris Gerard, Weed and Seed Coordinator – Resolution KB-1734-2010 Weed and Seed Year 4 Continuation Funding for \$150,000.00 and a 25% match of \$50,000.00

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1734-2010 WEED AND SEED CONTINUATION FUNDING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

5. Debbie Parrish, OCC – Approval of the List of Applicants for the Board of Regents (Alternate Member – Dale Shalifoe and Shirley McKasy)

MOTION MADE BY FRED DAKOTA TO APPROVE THE NAMES SUBMITTED FOR THE BOARD OF REGENTS APPLICATIONS. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis), MOTION CARRIED.

(President Swartz out of the room)

6. Colleen DeRoche – Request for Auto Repairs \$1,124.15 for doctor’s visits to Marquette

MOTION MADE BY EDDY EDWARDS TO APPROVE THE REQUEST OF COLLEEN DEROCHE IN THE AMOUNT OF \$1,124.15 OUT OF COUNCIL DONATION FUNDS. SUPPORTED BY ISABELLE H. WELSH. NINE IN FAVOR (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (William E. Emery), ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

7. Debra Picciano, Community Assistance Program Administrator – a) Department of Energy Weatherization Grant - \$1800.00. Services Agreement with Eco-Hatchery to Train-the-Trainer Workshop March 22, 2010 on the Eco-Starter Kits to Reduce Carbon Foot Prints

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SERVICES AGREEMENT BETWEEN ECO HATCHERY AND THE KEWEENAW BAY INDIAN COMMUNITY. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

- b) Building Sciences Academy (BAS) Plan – KBIC (3) Course Offerings for up to 15 people to learn/teach how to conserve energy - \$91,800.00.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE BSA PLAN AS PRESENTED. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

I. Closed Session:

- 1. Project Manager Interviews -
 - a) Bruce LaPointe
 - b) Daniel Connor
 - c) Dennis Rich
 - d) John Lezotte
 - e) Mark Pietila
- 2. Larry Denomie III, CEO –
 - a) Personnel Issues
 - b) Business Opportunity

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:13 A.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Break: 11:16 – 11:30 a.m.

Lunch: 11:44 a.m. – 1:06 p.m.

Gary Loonsfoot, Sr. returned from lunch at 1:09 p.m.

Mike LaFernier, Sr. returned from lunch at 1:21 p.m.

Break: 2:18 – 2:34 p.m.

Break: 3:57 – 4:12 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 4:21 P.M. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Bruce LaPointe – Project Manager Position

MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE POSITION OF PROJECT MANAGER TO BRUCE K. LAPOINTE AT THE WAGE OF \$58,000.00 A YEAR AND WITH A FULL BENEFIT PACKAGE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

J. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 4:25 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist