

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – OCTOBER 18, 2012 – 9:00 A.M. - NOON**

A. Date: October 18, 2012

B. Call to Order: President Swartz called the meeting to order at 9:11 a.m.

C. Invocation: Lord’s Prayer

D. Roll Call: Present: Warren C. Swartz, Jr., President
Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Jerry Lee Curtis, Assistant Secretary
Toni J. Minton, Treasurer
Robert R.D. Curtis, Jr.
Fred Dakota
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe
Elizabeth “Chiz” Matthews

Absent: Eddy Edwards

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

F. Approval of Agenda: October 18, 2012

Addition: New Business- 3. Susan LaFernier, Secretary – Schedule Government Appeal of Termination Hearing (Case #012-12)

Deletions: Closed Session- 1. Larry Denomie III, CEO – a) Fitness Programs & Facilities Director Reclassification
b) CAP Director Reclassification

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

G. For Your Information:

1. VOIGT Intertribal Task Force Meeting Minutes September 5, 2012 – Odanah, WI
2. Pines Convenience Center I.H.S. Survey Report July 31, 2012 to evaluate existing food safety and the environmental health and safety conditions

H. New Business:

1. Diana Chaudier, Election Board Chair - Election Board Alternate Selection (1) from 13 applicants

The Council selected four applicants that are not employed and drew a name. Don Carlson will serve as the alternate for the elections.

2. Larry Denomie III, CEO –

- a) Youth Programs Coordinator Job Description
- b) Fitness Programs & Facilities Director Job Description

The Council discussed the separation of duties for the Youth and Fitness programs. A Coordinator will be assigned for each program. The two positions will coordinate with each other for use of the facility.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FITNESS PROGRAMS AND FACILITIES DIRECTOR AND YOUTH PROGRAMS COORDINATOR JOB POSITIONS AND TO POST THE YOUTH PROGRAMS COORDINATOR POSITION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Robert R.D. Curtis, Jr.), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

- c) Weekly Update

Discussion Turkey/Hams for Thanksgiving and Christmas: Consensus to give out cards which will be taxed for turkeys and hams.

Break: 10:07 – 10:26 a.m.

3. Susan LaFernier, Secretary – Schedule Government Appeal of Termination Hearing (Case #012-12) – The Hearing is scheduled for November 1, 2012 at 10:00 a.m.

I. Closed Session:

1. Pauline Spruce – Tribal Attorney Applicants
2. Larry Denomie III, CEO – U.S. Oil Retailer Supply Agreement
3. Heather Chapman, Assistant Tribal Attorney – Joseph O’Leary Special Tribal Prosecuting Attorney Agreement
4. Chris Chosa, THPO Director/Gary Loonsfoot, Jr., Language Coordinator – Earl Otchingwanigan Services Agreement
5. Bruce LaPointe, Project Manager – Larson Well Drilling, LLC Construction Agreement FY2012

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:29 A.M. SUPPORTED BY CAROLE L. LAPOINTE. SEVEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), THREE OPPOSED (Elizabeth D. Mayo, Fred Dakota, Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 11:38 A.M. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Tribal Attorney Applicants -

MOTION MADE BY JEAN JOKINEN TO INTERVIEW ALL SEVEN APPLICANTS FOR TRIBAL ATTORNEY. SUPPORTED BY ROBERT R.D. CURTIS, JR. TWO IN FAVOR (Robert R.D. Curtis, Jr., Jean Jokinen), SEVEN OPPOSED (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE ABSTAINING (Carole L. LaPointe), ONE ABSENT (Eddy Edwards), MOTION DEFEATED.

MOTION MADE BY ELIZABETH D. MAYO TO INTERVIEW FIVE APPLICANTS AS PRESENTED IN THE PACKET. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), TWO ABSTAINING (Robert R.D. Curtis, Jr., Carole L. LaPointe), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Joseph O'Leary Special Tribal Prosecuting Attorney Agreement –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SPECIAL TRIBAL PROSECUTING ATTORNEY AGREEMENT WITH JOSEPH O'LEARY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe), OPPOSED - 0, ONE ABSTAINING (Elizabeth "Chiz" Matthews), ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Larson Well Drilling, LLC Construction Agreement FY2012 – I.H.S. Well Projects No. BE-09-G01 BE-11G61 for \$65,888.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE CONSTRUCTION AGREEMENT WITH LARSON WELL DRILLING, LLC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

U.S. Oil Retailer Supply Agreement – Pines Convenience Center for one year

MOTION MADE BY FRED DAKOTA TO APPROVE THE U.S. OIL RETAILER SUPPLY AGREEMENT BETWEEN KBIC AND U.S. VENTURE, INC. SUPPORTED BY JEAN JOKINEN. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

J. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 11:44 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Elizabeth D. Mayo, Susan J. LaFerner, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Jean Jokinen, Michael F. LaFerner, Sr., Carole L. LaPointe, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Eddy Edwards), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist