

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – MARCH 3, 2011 – 9:00 A.M.**

- A. Date: March 3, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer and prayers for those in the hospital and for those who have lost a loved one
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Susan J. LaFernier, Secretary  
Toni J. Minton, Assistant Secretary (left at 4:50 p.m.)  
Eddy Edwards, Treasurer (left 9:23 – 9:33 a.m.)  
Fred Dakota  
Michael F. LaFernier, Sr. (arrived at 9:42 a.m.)  
Gary F. Loonsfoot, Sr. (left at 2:42 p.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo (left 2:50 – 3:21 p.m.)  
Isabelle Helene Welsh (arrived at 9:28 a.m.)
- Absent: William E. Emery, Vice President  
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 3, 2011

Addition: FYI- 6. David Haataja, Marquette Casino  
General Manager Monthly Report

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

G. For Your Information:

1. A letter from Dennis Knapp, Native American Affairs Coordinator DNRE, requesting consultation with Tribes on potential Michigan Moose hunting
2. NMU 19<sup>th</sup> Annual "Learning to Walk Together" Powwow Saturday, March 12, 2011
3. U.S. Department of the Interior "Indian Arts and Crafts Act" Brochure – to prevent marketing of craft products as "Indian" when they are not
4. Robert Mudd, Baraga Casino General Manager, Tribal Casino Hotel Development and Infrastructure Conference Report – New Orleans, LA, February 28, 2011
5. Larry Denomie III, CEO, Casino Financing Conference Travel Report - New Orleans, LA, February 28, 2011
6. David Haataja, Marquette Casino General Manager Monthly Report – October 2010

**Eddy Edwards left at 9:23 a.m.**

H. Approval of Meeting Minutes:

1. July 15, 2010

**MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE THE JULY 15, 2010 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), FIVE ABSENT (William E. Emery, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Isabelle H. Welsh), MOTION CARRIED.**

2. July 22, 2010

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JULY 22, 2010 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOT, SR. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (William E. Emery, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Isabelle H. Welsh), MOTION CARRIED.**

**Isabelle Welsh arrived at 9:28 a.m.**

3. July 29, 2010

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JULY 29, 2010 MEETING MINUTES. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

I. Old Business:

1. Eddy Edwards, Treasurer – Employee Benefits Broker [not present]
2. Todd Warner, NRD/Gene Mensch, Fisheries and Wildlife Biologist/Gary Loonsfoot, Jr., Natural Resource Committee Chair – 2011 Spring Walleye Spearing Special Harvest - Natural Resource Committee Proposed Plan -Harvest Target at 1500 with 20 Fish Allocation per Participant

**Eddy Edwards returned at 9:33 a.m.**

**Mike LaFerner, Sr. arrived at 9:42 a.m.**

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE NATURAL RESOURCE COMMITTEE’S PROPOSED PLAN; AND THAT THE COUNCIL FINDS SPECIAL CIRCUMSTANCES EXIST WHICH WARRANT AN EXCEPTION FROM THE REGULATIONS AND TO INITIATE THE SPECIAL WALLEYE SPEARING HARVEST IN PORTAGE LAKE FOR 2011 AT 1500 WALLEYE AND TO ALLOW 20 PER PERMIT. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**MOTION MADE BY EDDY EDWARDS TO ALLOW TRIBAL MEMBERS, BY EITHER PRE-REGISTERING OR REGISTERING ON THE SITE AT PIKE BAY BOAT RAMP, THE COUNCIL THEN EXEMPTS THEM FROM COMPLIANCE WITH SUCH REGULATIONS. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

J. New Business:

1. Todd Warner, NRD – Hydrotech Drum Filter Purchase Request

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE NATURAL RESOURCE DEPARTMENT’S PURCHASE OF A HYDROTECH DRUM FILTER IN THE AMOUNT OF \$20,554.54 FROM WATER MANAGEMENT TECHNOLOGIES, INC. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**Break: 10:30 – 10:50 a.m.**

[Closed Session – (3) Eagle Radio General Manager Interviews]

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 10:51 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**Lunch: 12:18 – 1:03 p.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:05 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**2<sup>nd</sup> Reading Sexual Offender Registration Proposed Ordinance 2011-01 – 1:00 p.m.**

[See Legislative File]

President Swartz read the Legislative Process.

Present:

President Swartz  
Susan LaFerner  
Toni Minton  
Eddy Edwards  
Fred Dakota  
Elizabeth Matthews

Elizabeth Mayo  
Isabelle Welsh  
Gary Loonsfoot, Jr.  
Pauline Spruce  
Peggy Minton

No written comments received.

President Swartz opened for public comments.

Gary Loonsfoot, Jr. commented that he would like to see different colored license plates issued to sexual offenders as was proposed in Wisconsin. He feels the plates can be identified on cars traveling near schools and playgrounds.

Susan LaFerner commented these are two amendments (chapters) to be added to Title Three: 3.19 Criminal Sexual Conduct and 3.20 Sex Offender Registration Code to implement the requirements of the Adam Walsh Act (SORNA)

Eddy Edwards commented the additional duties for tribal police may require changes to comply.

President Swartz closed the 2<sup>nd</sup> Reading at 1:11 p.m.

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 1:12 P.M. SUPPORTED BY EDDY EDWARDS. FIVE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**Gary Loonsfoot, Sr. returned from lunch at 1:13 p.m.**

**Mike LaFerner, Sr. returned from lunch at 1:29 p.m.**

**MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 2:10 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**Eagle Radio General Manager Position -**

**MOTION MADE BY FRED DAKOTA TO HIRE ED JANISSE AS GENERAL MANAGER FOR THE RADIO STATIONS AT \$40,000.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FOUR IN FAVOR (Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), FIVE OPPOSED (Susan J. LaFerner, Toni J. Minton, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION DEFEATED.**

**MOTION MADE BY ISABELLE H. WELSH TO REPOST THE GENERAL MANAGER POSITION FOR THE RADIO STATIONS. SUPPORTED BY GARY F. LOONSFOOT, SR. FIVE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), THREE OPPOSED (Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr.), ONE ABSTAINING (Elizabeth D. Mayo), TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**[New Business]**

- 2. Jason Ayres, Realty Officer – Resolution KB-1808-2011 Negaunee Airport Trust Acquisition**

**MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1808-2011 NEGAUNEE AIRPORT TRUST ACQUISITION. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

3. Heather Chapman, Assistant Tribal Attorney – Resolution KB-1809-2011 Liquor licenses liability insurance policy requirement and not eligible for a license located within 500 feet of a church or school

**MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1809-2011 LIQUOR LICENSES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ONE ABSTAINING (Susan J. LaFernier), TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**Break: 2:20 – 2:30 p.m.**

4. Gary Loonsfoot, Sr. – The Native American Veterans Memorial Initiative (NAVMI)

**MOTION MADE BY FRED DAKOTA TO ADOPT A RESOLUTION OF SUPPORT FOR THE NATIVE AMERICAN VETERANS MEMORIAL INITIATIVE TO ADD A NATIVE AMERICAN SOLDIER BEING REPRESENTED ON THE NATIONAL MALL LOCATED IN OUR NATION’S CAPITOL. SUPPORTED BY ISABELLE H. WELSH. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Jerry Lee Curtis), MOTION CARRIED.**

**Gary Loonsfoot, Sr. left at 2:42 p.m.**

5. Gary Loonsfoot, Jr., Language Coordinator – Resolution KB-1806-2011 ANA Native Language Preservation and Maintenance Grant for 3 years for \$300,000.00 with match

**Elizabeth Mayo left at 2:50 p.m.**

**MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1806-2011 ANA NATIVE LANGUAGE PRESERVATION GRANT. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

6. President Swartz – Mining Issue

Susan LaFernier received an email regarding a Rio Tinto Shareholders meeting in London on April 14th. Susan feels President Swartz should attend. President Swartz stated there is no funding available but a statement will be sent.

[Old Business]

2. Eddy Edwards, Treasurer/Francis LaPointe, CFO – Employee Benefits Broker

He suggested we do an analysis of our benefits and recommended that M3 be hired as our broker on record.

**Elizabeth Mayo returned at 3:21 p.m.**

M3 Proposal Request –

**MOTION MADE BY EDDY EDWARDS TO REQUEST A WRITTEN PROPOSAL FROM M3 REGARDING HEALTH BENEFITS. SUPPORTED BY ISABELLE H. WELSH. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Michael F. LaFerner, Sr.), ONE ABSTAINING (Fred Dakota), THREE ABSENT (William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

K. Closed Session:

1. John Baker, Attorney

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 3:50 P.M. SUPPORTED BY EDDY EDWARDS. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**Toni Minton left at 4:50 p.m.**

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 5:00 P.M. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Susan J. LaFerner, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 5:01 P.M. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Eddy Edwards, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (William E. Emery, Toni J. Minton, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist