

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

- A. Date: December 9, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:15 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
Jerry Lee Curtis (arrived at 9:25 a.m.)
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 9:40 a.m.)
Gary F. Loonsfoot, Sr. (arrived at 9:20 a.m.)
Elizabeth D. Mayo
Toni J. Minton (arrived at 10:12 a.m.)
Isabelle Helene Welsh (arrived at 9:20 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 9, 2010
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| Deletions: | New Business- | 1. Ashley Chosa – Tribal Code Domestic Relations Issue
2. Jason Ayres, Realty Officer – Resolution KB-1793-2010
Negaunee Airport Trust Acquisition |
| Additions: | Old Business- | 2. President Swartz – Non-Tribal Member Plow Request
3. Susan LaFernier, Secretary – Tribal Member Plow Request |
| | New Business- | 2. Bruce LaPointe, Projects Manager – b) Natural Gas for
New Day |

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

G. For Your Information:

1. Gaming Commission Meeting Minutes 11/3/10 and 11/17/10
2. FY2011 Budget Summary
3. Copy of the final MOA (Memorandum of Agreement) By and Between KBIC and the Keweenaw Bay Ojibwa Community College
4. A letter from Ed Janisse

Gary Loonsfoot, Sr. and Isabelle Welsh arrived at 9:20 a.m.

H. Old Business:

1. Eddy Edwards, Treasurer – Baraga Senior Citizen’s Christmas Party Request \$6,745.00. The amount last year was \$6,200.00.

Jerry Lee Curtis arrived at 9:25 a.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE BARAGA SENIOR CITIZENS’ CHRISTMAS PARTY REQUEST IN THE AMOUNT OF \$6,745.00. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Toni J. Minton), MOTION CARRIED.

2. President Swartz – Non-Tribal Member Plow Request

MOTION MADE BY EDDY EDWARDS TO APPROVE ADDING LILLIAN VERBANAC TO THE SNOW PLOW LIST BECAUSE OF HER LONG HISTORY AS A KBIC FOSTER PARENT. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), TWO OPPOSED (William E. Emery, Gary F. Loonsfoot, Sr.), ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Toni J. Minton), MOTION CARRIED.

William Emery stated his opposition: He would like to see it checked out first, there are over 100 driveways to do right now.

Mike LaFernier, Sr. arrived at 9:40 a.m.

3. Susan LaFernier, Secretary – Tribal Member Plow Request for Linda Kempainen who lives off of the reservation. The guidelines will be reviewed.

MOTION MADE BY EDDY EDWARDS TO APPROVE ADDING LINDA KEMPPAINEN TO THE SNOW PLOW LIST DUE TO HER DISABILITY. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

I. New Business:

1. Carl Rasanen – Sub-Grant Consideration with Ojibwa Housing for Weatherization Funds

Toni Minton arrived at 10:12 a.m.

MOTION MADE BY ISABELLE H. WELSH TO APPROVE CARL RASANEN TO WORK WITH LARRY DENOMIE III, CEO, ON THE WEATHERIZATION GRANT PROGRAM AND PLAN. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 10:16 – 10:40 a.m.

2. Bruce LaPointe, Projects Manager (not present) –
 - a) Parks/Recreation Caretaker Position under Public Works Department on the Organizational Chart

MOTION MADE BY FRED DAKOTA TO APPROVE THE PLACEMENT OF THE PARKS/RECREATION CARETAKER POSITION UNDER THE PUBLIC WORKS DEPARTMENT ON THE ORGANIZATIONAL CHART. SUPPORTED BY EDDY EDWARDS. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

- b) Bruce LaPointe, Projects Manager – b) Natural Gas for New Day

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE CHANGE ORDER IN THE AMOUNT OF \$36,592.00 FOR THE NATURAL GAS CONVERSION AT THE NEW DAY CENTER. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

J. Closed Session:

1. Elizabeth Mayo – Dale Schmeisser, R.D. Ph.D. Professional Services Agreement
2. Derek Sever, Radio Station Manager – Sales Manager Contract
3. John Baker, Attorney
4. Christoph Geiger, Attorney – Wisconsin Veterinary Diagnostic Laboratory Services Agreement
5. Warren C. Swartz, Jr., President – Phone Poll 12/6/10

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 11:00 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:00 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Professional Services Agreement - Dale Schmeisser, R.D. Ph.D., Dietician Consultant for the WIC Program January 1, 2011 – December 31, 2011

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH DALE SCHMEISSER. SUPPORTED BY ISABELLE H. WELSH. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Wisconsin Veterinary Diagnostic Laboratory Services Agreement to provide chronic wasting disease sample testing services up to \$4,000.00 –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE WISCONSIN VETERINARY DIAGNOSTIC LABORATORY SERVICES AGREEMENT. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Marquette Airport Property Affidavit Regarding Matters Relating to Title –

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AFFIDAVIT REGARDING MATTERS RELATING TO THE TITLE OF THE AIRPORT PROPERTY AND AUTHORIZE THE PRESIDENT AND JASON AYRES TO SIGN. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Justin Marzke Resignation – Radio Station Sales Manager

MOTION MADE BY ELIZABETH D. MAYO TO TERMINATE JUSTIN MARZKE’S SALES MANAGER CONTRACT AND TO ACCEPT HIS RESIGNATION EFFECTIVE JANUARY 1, 2011 FOR THE 30 DAY NOTICE. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

K. Adjournment:

MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 12:05 P.M. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (William E. Emery, Susan J. LaFERNIER, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist