A. Date: August 16, 2012

B. Call to Order: Vice President Mayo called the meeting to order at 9:22 a.m.

C. Invocation: Lord’s Prayer

D. Roll Call: Present: 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 (left at 12:29 p.m.)
Eddy Edwards
Jean Jokinen
Michael F. LaFernier, Sr.
Carole L. LaPointe
Elizabeth “Chiz” Matthews

Absent: Warren C. Swartz, Jr., President

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

F. Approval of Agenda: August 16, 2012

Deletions: Old Business-

1. Vice President Mayo - Amend Liquor License Fee to Correct Previous Amount
2. Susan LaFernier, Secretary – Gaming Commission Terms (Move to FY13)

Move: New Business 6. -

3. Closed Session - Eddy Edwards - Additional Outside Counsel for our Michigan State Court of Appeals Case
Public Health Nurse Grant Application

Closed Session- 4. Eddy Edwards – Eagle Radio

FYI- 2. Jerry Lee Curtis – Positive Announcement regarding a New Day Staff Member
4. Eddy Edwards – Circuit Court Decision regarding the Bay Mills Casino Case

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Jean Jokinen), MOTION CARRIED.

(Jean Jokinen is out of the room)

G. For Your Information:

1. VOIGT Intertribal Task Force Meeting Minutes July 12, 2012 Odanah, WI
2. Jerry Lee Curtis – Positive Announcement regarding a New Day Staff Member – Clinical Director Mike Jensen’s medical tests revealed that he does not have cancer.
3. Susan LaFernier, Secretary – Gaming Commission Terms – Susan is researching the term limits.
4. Eddy Edwards – Circuit Court Decision regarding the Bay Mills Casino Case (Vanderbilt) – The Court ruled in Bay Mills Favor.

H. New Business:

1. Diana Chaudier, Election Board Chair – 2012 Primary November 3/General December 15 Election Timelines

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE 2012 PRIMARY AND GENERAL ELECTION TIMELINES. SUPPORTED BY CAROLE L. LAPOINTE. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

2. Dave Zasadnyj, I.T. Analyst – Email Server Upgrade/Replacement Request (3)

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE BID FROM DELL IN THE AMOUNT OF $17,035.22 FOR THE I.T. DEPARTMENT SERVER REPLACEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE A DONATION OF $125.00 PER KBIC MEMBER EIGHTEEN YEARS OLD AND OVER FOR UP TO THIRTY PARTICIPANTS TO ATTEND THE LVD WILD RICE CAMP. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

4. Vice President Mayo –

   a) Committee Selections

      i. Constitution Committee (1) seat – (1) applicant

      MOTION MADE BY EDDY EDWARDS TO APPOINT DEBRA WESTMAN TO THE CONSTITUTION COMMITTEE. SUPPORTED BY JEAN JOKINEN. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

      ii. Health Board (1) seat – (3) applicants

      MOTION MADE BY TONI J. MINTON TO APPOINT JOHN SEPPANEN TO THE HEALTH BOARD. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

      iii. Youth Committee (2) seats – (2) applicants

      MOTION MADE BY CAROLE L. LAPOINTE TO APPOINT ANGELICA BOGDA AND SHEILA EKDAHL TO THE YOUTH COMMITTEE. SUPPORTED BY EDDY EDWARDS. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

b) Donation Request from Pauline Knapp Spruce (Team Chip’s Ahoy) for the National Kidney Foundation Walk on September 8, 2012 in Milwaukee, WI
MOTION MADE BY EDDY EDWARDS TO APPROVE A DONATION OF $500.00 TO THE NATIONAL KIDNEY FOUNDATION. SUPPORTED BY JEAN JOKINEN. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

5. Larry Denomie III, CEO – Weekly Update

6. Carole LaPointe, Health Director – Resolution KB-1898-2012 Public Health Nurse Grant Application for $150,000.00 for 5 years

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1898-2012 PUBLIC HEALTH NURSE GRANT APPLICATION. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

I. Old Business:

1. Larry Denomie III, CEO –
   a) Gaming Commission Budget Modification – Fund #526 – Brandy Chosa Interim

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BUDGET MODIFICATION FOR THE INTERIM BACKGROUND INVESTIGATOR POSITION IN THE AMOUNT OF $2,846.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (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, TWO ABSENT (Warren C. Swartz, Jr., Eddy Edwards), MOTION CARRIED.

(Eddy Edwards is out of the room)

The Council would like to discuss the Security Background Investigations before moving forward.

   b) Personnel Department Budget Modification – Fund #520 – Temporary Clerical

MOTION MADE BY CAROLE L. LAPOINTE TO APPROVE THE PERSONNEL BUDGET MODIFICATION IN THE AMOUNT OF $6,621.00. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.
MOTION MADE BY TONI J. MINTON TO APPROVE THE FIRE MANAGEMENT BUDGET FUND NUMBER 167 IN THE AMOUNT OF $17,875.00. SUPPORTED BY CAROLE L. LAPOINTE. EIGHT IN FAVOR (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), TWO OPPOSED (Eddy Edwards, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

J. Closed Session:

1. Attorney Interviews (4)
2. Heather Chapman, Assistant Tribal Attorney – Mining Case Update
3. Eddy Edwards – Additional Outside Counsel for our Michigan State Court of Appeals Case

MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION AT 10:16 A.M. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Jean Jokinen), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Break: 10:17 – 10:28 a.m.

Break: 11:43 – 11:48 a.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 12:28 P.M. SUPPORTED BY JEAN JOKINEN. TEN IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Fred Dakota, Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

MOTION MADE BY JEAN JOKINEN TO OFFER THE TRIBAL ATTORNEY POSITION TO DAMIAN FISHER. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Michael F. LaFernier, Sr.), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.

Lunch: 12:29 – 1:38 p.m.

Fred Dakota left at 12:29 p.m.

K. Recognize Scheduled Delegation/Individuals:

1. Comprehensive Strategic Plan Review – Gregg Nominelli, EconomicDeveloper/Tina Durant
a) Youth:  Youth Program, Education – Cheryne Clements/Amy St. Arnold
b) Elders:  Tribal Council, OHA
c) Safety:  Tribal Court, Police, NRD, Public Works – Dale Dakota, Chief of Police

MOTION MADE BY EDDY EDWARDS TO GO INTO CLOSED SESSION AT 3:14 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

Break: 3:15 – 3:28 p.m.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 4:16 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

Eagle Radio -

MOTION MADE BY EDDY EDWARDS TO APPROVE $15,355.00 FOR THE RADIO STATION OPPORTUNITY PRESENTED IN CLOSED SESSION. SUPPORTED BY ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Carole L. LaPointe, Elizabeth “Chiz” Matthews), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 4:18 P.M. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFernier, Jerry Lee Curtis, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Carole L. LaPointe, Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Fred Dakota), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist