

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
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2006 TRIBAL COUNCIL

SUSAN J. LAFERNIER, President
WARREN C. SWARTZ, JR., Vice-President
LARRY J. DENOMIE III, Secretary
DOREEN G. BLAKER, Asst. Secretary
TONI J. MINTON, Treasurer

FRED DAKOTA
WILLIAM E. EMERY
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
ELIZABETH "CHIZ" MATTHEWS
ELIZABETH D. MAYO
SHAWANUNG

KEWEENAW BAY INDIAN COMMUNITY SPECIAL COUNCIL MEETING TRIBAL CENTER CONFERENCE ROOM MONDAY – JUNE 26, 2006 – 9:00 A.M.

APPROVED
on 7/14/06

- A. Date: June 26, 2006
- B. Call to Order: President LaFernier called the meeting to order at 9:13 a.m.
- C. Invocation: The Lord's Prayer was recited.
Opening Prayer in Ojibwa by Shawanung
**Nii da we maa ga nii dug Ni wii go ji toon da- Ojibwa mo yaan
Gi chi man ni doo gi gii mii ni goo nann da Ojibwa mo yaan
Mii iw wen ji bi min zha 'a maan Ojibwa mo win
Niin a na mi ' aa ga ki na Anishnabe aa dash zag as we 'I we
Mi gwetch e wen dan Gwa na chi win noon goom
Zha we nim akina Abinoojiyans, oshki ininni, oshki ekwe, Anishnabe
Anishnabe ekwe, Keweenaw Bay indoogiibaa
Naa da ma wi shin gi chi man ni doo
Wii doo kaa zo ono Zag as we 'I we ozhi mii naa dash gi ken ji ge
I na ko ni gaa de noon goom
Gi chi manidoo saa gii yaa giin
Mii 'iw Mii Gwetch**
- D. Roll Call: Present: Susan J. LaFernier, President
Warren C. Swartz, Jr., Vice-President
Larry J. Denomie III, Secretary
Doreen G. Blaker, Assistant Secretary
Toni J. Minton, Treasurer
Fred Dakota
William E. Emery
Michael F. LaFernier, Sr. (9:17 a.m. after prayer)
Gary F. Loonsfoot, Sr.
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo
Shawanung

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

F. Approval of Agenda: June 26, 2006

Additions:

G. For Your Information – 7. Bill Jondreau - Head Start Update and Little League Donation Request for the July 8, 2006 meeting

H. Old Business -

- 4. Susan J. LaFerner -Even Start/Indoor Play Center Playground
- 5. Chris Swartz – Update on Bill S-2078
- 6. Doreen Blaker - a.) Report on NCAI Conference.
b.) Softball Team Request

I. New Business - 6. Jason Ayres – Resolution No. KB-1487-2006, Bill of Sale to OHA

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED.

G. For Your Information:

1. A “Thank You” from the Upper Peninsula Children’s Museum for the Tribe’s donation along with a copy of their newsletter.
2. A copy of the VOIGT Task Force meeting minutes from May 4, 2006.
3. A copy of the GLIFWC Annual Narrative Report Fiscal Year 2005 available for Council’s review.
4. A copy of the U.S. Attorney 2005 Annual Report available for Council’s review.
5. A letter from the Native American Rights Fund/Report available for Council’s review.
6. Draft copy of the Senior Assistance Program – Policies, Guidelines, and Procedures. Susan stated that this needs approval and that there needs to be a Resolution in place. The draft was received and more information may be needed for the seniors who receive SSI. Philomena Ekdahl will be administering the program. This will be on the agenda for July 8th meeting.
7. Bill Jondreau - Update on Head Start applications: There were 105 applications. He and Council members felt the selection process for approval should be KB membership first priority, descendants, and finally descendants of descendants. Bill wanted clarity on the Tribal Council’s definition of descendants, which was given by Jennifer Misegan. He also stated that enrolled members and descendants may not be eligible for the program because they are over income and stated the goal is to have our tribal members in the program. Bill believes the selection process should go by the point system established by the Policy Committee and NOT by income. The Council also received his e-mail to Ann Belleau, ITC Head Start Director. Bill also added that he has a request for a \$1000.00 donation for Little League, which will be placed on the Saturday, July 8th agenda.

Doreen Blaker left the meeting 10:05 – 10:38 a.m.

Break: 10:22 a.m. – 10:40 a.m.

H. Old Business:

1. Mary Walker – Firework concerns. Mary feels the 11:00 p.m. curfew for setting off fireworks is too late in a residential area. It was explained to her that this is in our code and a change would have to go through the legislative process in order to have it changed.
2. John Baker – a) 1991 Fireworks Resolution Revision/KB-1486-2006 Fireworks Resolution

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE KB-1486-2006 FIREWORKS RESOLUTION WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

b) Business License Renewal for James Welsh

MOTION MADE BY FRED DAKOTA TO APPROVE THE RENEWAL OF JAMES WELSH’S FIREWORKS LICENSE. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

c) Business License Renewal for TLC Unlimited

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE RENEWAL LICENSE FOR TLC UNLIMITED FOR A ONE YEAR PERIOD OF JANUARY 2006 – JANUARY 2007 FOR THE AMOUNT OF \$125.00 WITH INSPECTIONS. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

3. Todd Warner – a) Commercial Fishing – There are remaining tags from fishermen who did not pick up their licenses as of June 15th.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE REDISTRIBUTION OF LAKE TROUT QUOTA TAGS TO THOSE FISHERMEN WHO HAVE PICKED UP THEIR LICENSES. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR. (Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), ONE OPPOSED (WARREN C. SWARTZ, JR.), ABSTAINING - 0, MOTION CARRIED

b) Spring Clean-Up Update – This year’s clean-up will be paid out of EPA grant funds. The total cost is \$14,653.06.

c) Memorandum of Understanding between the U.S. EPA and KBIC – this will allow the Natural Resources Department staff to be trained by EPA as federal inspectors for storm water construction activities within the reservation.

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE MOU BETWEEN THE US EPA, REGION 5 AND KBIC TO GOVERN THE ACTIVITIES OF TRIBAL EMPLOYEES WHO MAY BE AUTHORIZED OR DESIGNATED BY EPA UNDER SECTION 308 OF THE CLEAN WATER ACT. SUPPORTED BY SHAWANUNG. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

4. Susan J. LaFernier - Even Start/Indoor Play Center Playground. A letter was received from Mary DeLine and they would like to change their original request for a play yard to a bigger area, which will be fenced in.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO TABLE THE EVEN START REQUEST UNTIL OUR BUILDING INSPECTOR INSPECTS REGARDING THE CODE. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR. (Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED – 0, ONE ABSTAINING - (WARREN C. SWARTZ, JR.), MOTION CARRIED

5. Chris Swartz – Update on Bill S-2078 IGRA Amendments of 2006. Most Tribes have expressed firm opposition to this bill, which grants the NIGC with class III authority to have complete review and approval for gaming-related contracts and full disclosure of tribal gaming revenues. Mr. Baker suggested that we send a letter to show KBIC opposes this.

6. Doreen Blaker – a.) Report on NCAI Conference. Tribes were advised of vacancies in Michigan district courts and nominees have not been chosen yet. They recommended contacting our Senators and have input on these judicial openings. Doreen also gave an update on NICWA and various bills. She also gave information on states that will be introducing Native History to their curriculum and how to describe Tribal Sovereignty so that Senators can understand it.

b.) Additional funding for Softball Team. The tee shirts ordered were more than expected. She will need an additional \$165.00.

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE \$165.00 FOR THE SOFTBALL TEAM PER DOREEN'S REQUEST. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

Lunch Break: 12:04 p.m. – 1:10 p.m.

I. New Business:

1. Jerry Curtis – New Day Kitchen Renovation Bids. Four bids were given ranging from \$23,075.00 to \$60,784.00. New Day recommended North Star Builders. This will be paid from M&I funds.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$23,575.00 TO NORTHSTAR BUILDERS FOR THE NEW DAY KITCHEN RENOVATION. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR. (Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, TWO ABSTAINING - (Michael F. LaFernier, Sr., Warren C. Swartz, Jr.), MOTION CARRIED

2. Brad Dakota – Child Support Office Renovation Bids. Three bids were given ranging from \$7290.00 to \$9403.00. Brad did not have a recommendation.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$7290.00 TO DRIFT ROOFING CO. FOR THE CHILD SUPPORT OFFICE RENOVATION. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR. (Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, THREE ABSTAINING - (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr., Warren C. Swartz, Jr.), MOTION CARRIED

3. Jennifer Misegan – Request Emergency Fund Guidelines Amendment to Include Braces.

MOTION MADE BY LARRY J. DENOMIE III TO AMEND THE EMERGENCY FUNDING GUIDELINES TO INCLUDE BRACES, EFFECTIVE JUNE 26, 2006, PER INDIVIDUAL. SUPPORTED BY WARREN C. SWARTZ, JR. SEVEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), FOUR OPPOSED – (Elizabeth D. Mayo, Shawanung, William E. Emery, Fred Dakota), ABSTAINING – 0, MOTION CARRIED

4. John Bussey – Raffle License Request for Keweenaw Bay Hockey Association.

MOTION MADE BY TONI J. MINTON TO APPROVE RAFFLE LICENSE NO. KB-05-06 TO THE KEWEENAW BAY HOCKEY ASSOCIATION. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

Break: 1:54 p.m. – 2:16 p.m.

5. Jason Ayres – Resolution, KB-1487-2006, Bill of Sale to OHA for the Neveau home on M-38 and the mobile home in Negaunee.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION NO. KB-1487-2006. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, MOTION CARRIED

6. Cherie Dakota/Ruth Bussey - Health Department Budget. When the CHS fund is depleted, KB member’s labs and diagnostic tests will be paid from the Tribal Health Fund and all others will have to pay for their tests. She is reallocating funds in the Tribal Health Fund into dental supplies and fees.

The Health Department is requesting that the staff be permitted to wear shorts while the air conditioning is being repaired. The CEO will issue a memo.

J. Closed Session:

MOTION MADE BY LARRY J. DENOMIE III TO GO INTO CLOSED SESSION AT 3:18 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews,), THREE OPPOSED – (Fred Dakota, Elizabeth D. Mayo, Shawanung) ABSTAINING - 0, MOTION CARRIED

1. John Bussey/ Susie Lawrence – Employee Gaming Licenses/Schedule Gaming Commission Interviews
2. David Haataja – New Table Game
3. Susan LaFerner – Personnel (Pauline and Julie Raby)
4. John Baker

Doreen Blaker left the meeting at 5:00 p.m.

Open Session:

MOTION MADE BY LARRY J. DENOMIE III TO GO INTO OPEN SESSION AT 5:20 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE GAMING LICENSE NO. KB-295-06 TO KB-305-06 AND PROBATIONARY LICENSE NO. P-KB-025-06. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

MOTION MADE BY LARRY J. DENOMIE III TO TEMPORARILY REVOKE GAMING LICENSES FOR CAUSE FOR BADGE NUMBERS B-0033, V-0010, V-0026, F-0004, H-0034. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

MOTION MADE BY WARREN C. SWARTZ, JR. TO AUTHORIZE THE CHAIRMAN TO SIGN A LICENSING AGREEMENT MADE BETWEEN THE KBIC AND THE SPORTS CAR CLUB OF AMERICA AND ALSO TO AUTHORIZE AND DETERMINE TO APPROVE NON-SUBSITIVE TECHNICAL CHANGES TO THE AGREEMENT. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE FORTUNE CARD ROYAL MATCH 21 AGREEMENT FOR THE MARQUETTE CASINO. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE POSTING OF THE CHIEF OF POLICE POSITION, IN-HOUSE AND APPROVE THE POSITION ANNOUNCEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 5:25 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR. (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED

Respectfully submitted,

A handwritten signature in cursive script that reads "Peggy Minton".

Peggy Minton
Recording Secretary