

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
107 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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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

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY- NOVEMBER 9, 2006 – 9:00 A.M.

APPROVED

12-15-06

- A. Date: November 9, 2006
- B. Call to Order: President LaFernier called the meeting to order at 9:13 a.m.
- C. Invocation: Lord's Prayer
Opening Prayer in Ojibwa by Shawanung.
- 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. (arrived at 11:20 a.m.)
Gary F. Loonsfoot, Sr.
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo (arrived at 1:15 p.m.)
Shawanung (left at 12:00 p.m.)
- E. Declaration of Quorum: President LaFernier declared a quorum present and proceeded with the order of Business.
- F. Approval of Agenda: November 9, 2006
- Addition- Old Business: 1. Approval of September Department Head Reports
FYI: 4. VOIGT Task Force Meeting Minutes – September 7, 2006
Closed Session: 1. c) Jesse Luttenton – HUB Zone Small Business Conference

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

Doreen Blaker left at 9:17 a.m.

G. For Your Information:

1. A copy of Notification of approved enrollment applications.
2. A copy of the October 31, 2006 Gaming Commission meeting minutes.
3. A letter from DHHS on SAMHSA establishing a Tribal Advisory Committee.
4. A copy of the VOIGT Task Force Meeting Minutes.

H. Old Business:

1. Approval of September Department Head Reports.

MOTION MADE BY FRED DAKOTA TO APPROVE THE SEPTEMBER DEPARTMENT HEAD REPORTS. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Doreen Blaker returned at 9:23 a.m.

I. New Business:

1. Todd Warner – FYI: Wind Power Update. The testing tower at the NRD is up and running. Wind speed data will be collected for the next 12 months. (See memo).
Radon test kits are available to Tribal members for home testing.
GLIFWC is offering to pay registration and hotel costs for HACCP training on December 19 – 21, 2006 at the Bay Mills Casino.
 - a) Tuberaft Hazardous Waste (Drum) Disposal – There were 3 bids and this will be paid from BIA Environmental funds.

MOTION MADE BY FRED DAKOTA TO APPROVE THE BID FROM OSI FOR \$8261.00, WHICH INCLUDES 10% CONTINGENCY. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Shawanung), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

- b) Todd Warner/Jason Ayres – Solid Waste Management Plan. There will be two compactor/transfer stations. One will be in the Industrial Park and a alternate site is needed in Zeba.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE TODD WARNER TO CONTINUE LOOKING FOR AN ALTERNATE SITE FOR THE SOLID WASTE MANAGEMENT PROJECT THAT WORKS BEST IN ZEBA AND THE INDUSTRIAL PARK DEPENDING ON THE ENGINEERS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Shawanung), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Fred Dakota left at 9:45 a.m.

- c) Annual KBIC – US EPA Region 5 Tribal Environmental Agreement for FY 2007-2009. A list of Tribal Priority Issues are:
1. Impact Assessment of Proposed Mining Activities.
 2. Sand Point Brownfield Cleanup and Redevelopment.
 3. Solid Waste Compactor Stations, Recycling and Waste Reduction.
 4. Open Dump/Household Hazardous Waste Program.
 5. Baseline Reservation Hydrology Studies and Management Plans.
 6. Non-point source funding beyond the base program to address pollution caused by non-point sources.

This is for Council’s information and the President will sign.

2. Jason Ayres – a) Resolution KB 1509-2006 Jerry Swartz Residential Lease

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB 1509-2006. SUPPORTED BY SHAWANUNG. SEVEN IN FAVOR (Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Shawanung), OPPOSED - 0, ONE ABSTAINING (Warren C. Swartz, Jr.), THREE ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

- b) Resolution KB 1510-2006 Albert Matthews Recreational Lease

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB 1510-2006. SUPPORTED BY WARREN C. SWARTZ, JR. SEVEN IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Shawanung), OPPOSED - 0, ONE ABSTAINING (Elizabeth “Chiz” Matthews), THREE ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

c) Resolution KB 1511-2006 William Chosa Residential Lease

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE RESOLUTION KB 1511-2006. SUPPORTED BY SHAWANUNG. EIGHT IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Fred Dakota returned at 9:54 a.m.

d) Resolution KB 1512-2006 Joe Spruce Recreational Lease

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB 1512-2006. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Shawanung), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Doreen Blaker left at 9:55 a.m.

Break: 9:55 – 10:10 a.m.

Toni Minton left at 10:10 a.m.

3. Susan LaFerner/Sarah Smith – a) Ojibwa Senior Building – Asbestos Abatement Services Bids (2).

Sarah recommended Northwoods Environmental. The work will begin in a few weeks.

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE PROPOSAL FROM NORTHWOODS ENVIRONMENTAL INDUSTRIES, INC. IN THE AMOUNT OF \$5200.00. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. FIVE IN FAVOR (Warren C. Swartz, Jr., Fred Dakota, William E. Emery, Elizabeth "Chiz" Matthews, Shawanung), OPPOSED - 0, TWO ABSTAINING (Larry J. Denomie III, Gary F. Loonsfoot, Sr.), FOUR ABSENT (Doreen G. Blaker, Toni J. Minton, Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.

b) Ojibwa Senior Christmas Parties and Gift Cards

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE \$1200.00 FOR THE SENIOR CITIZEN CHRISTMAS PARTY, BARAGA AND MARQUETTE AND \$25.00 GIFT CARDS FOR THE SENIORS 55 YEARS OLD AND OVER. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Fred Dakota, William E. Emery, Elizabeth "Chiz" Matthews, Shawanung), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), FOUR ABSENT (Doreen G. Blaker, Toni J. Minton, Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.

J. Closed Session:

1. Jesse Luttenton – a) Jeff Coy Contract
b) Leasing of Tubcraft
c) HUB Zone Small Business Conference
2. John Mantila/David Haataja
3. John Baker
4. Susan LaFernier

MOTION MADE BY WARREN C. SWARTZ, JR. TO GO INTO CLOSED SESSION FOR THE ITEMS LISTED AT 10:18 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. FIVE IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Shawanung), ABSTAINING - 0, FOUR ABSENT (Doreen G. Blaker, Toni J. Minton, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Toni Minton returned at 10:30 a.m.

Mike LaFernier arrived at 11:20 a.m.

Doreen Blaker returned at 11:23 a.m.

Lunch: 12:00 – 1:10 p.m.

Shawanung left at 12:00 p.m.

Elizabeth Mayo arrived at 1:15 p.m.

Break: 2:48 – 3:04 p.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 3:25 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Shawanung), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO INCREASE THE GENERAL MANAGERS OF THE MARQUETTE AND BARAGA CASINOS WAGE BY \$5.00 AN HOUR, RETRO TO 10-13-06. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE 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 D. Mayo), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (Shawanung), MOTION CARRIED.

MOTION MADE BY WARREN C. SWARTZ, JR. TO AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT WITH J.L.C. CONSULTING FOR CONDUCTING A FEASIBILITY STUDY FOR MARQUETTE AND BARAGA RECREATIONAL SITES AND TO ADD \$5000.00 TO THE BUDGET. SUPPORTED BY WILLIAM E. EMERY. EIGHT 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), OPPOSED - 0, TWO ABSTAINING (Dorcen G. Blaker, Elizabeth D. Mayo), ONE ABSENT (Shawanung), MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO DENY THE PAUL SMITH'S REQUEST FOR FUNDING FOR TRAINING. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews), ONE ABSENT (Shawanung), MOTION CARRIED.

National Hub Zone Small Business Conference in New Orleans, LA on December 11 – 13, 2006.
It was suggested that Linda Woods and Jesse Luttenton attend.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE \$2120.00 FOR TRAVEL FOR TWO PEOPLE TO GO TO THE NATIONAL HUB ZONE SMALL BUSINESS CONFERENCE IN LOUISIANA, TO COME FROM THE GENERAL FUND. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFernier, Sr., Elizabeth D. Mayo), ONE ABSENT (Shawanung), MOTION CARRIED.

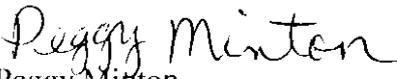
Leasing of Tubcraft-

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE JERRY MAGNANT'S LEASING OF TUBCRAFT FOR \$1.00 PER SQUARE FOOT, REQUIRE A DEPOSIT FOR THE FIRST AND LAST MONTHS RENT AND THEY PAY UTILITIES. SUPPORTED BY WARREN C. SWARTZ, JR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Larry J. Denomie III, Elizabeth D. Mayo), ONE ABSENT (Shawanung), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY WARREN C. SWARTZ, JR. TO ADJOURN AT 3:32 P.M. SUPPORTED BY FRED DAKOTA. TEN 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Shawanung), MOTION CARRIED.

Respectfully submitted,


Peggy Minton
Recording Secretary