

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

MINUTES KEWEENAW BAY INDIAN COMMUNITY SPECIAL COUNCIL MEETING TRIBAL CENTER CONFERENCE ROOM FRIDAY- DECEMBER 15, 2006 – 9:00 A.M.

APPROVED
1-18-07

- A. Date: December 15, 2006
- B. Call to Order: President LaFerner called the meeting to order at 9:15 a.m.
- C. Invocation: Lord's Prayer
Opening Prayer in Ojibwa by Shawanung.
Prayers for Kim Klopstein, she is in the hospital and also prayers for Chairman (DK) Sprague from the Gun Lake Tribe who is recovering from heart surgery.
- D. Roll Call: Present: Susan J. LaFerner, President
Larry J. Denomie III, Secretary (arrived 1:05 p.m., left 4:03 p.m.)
Doreen G. Blaker, Assistant Secretary
Toni J. Minton, Treasurer
Fred Dakota
William E. Emery
Michael F. LaFerner, Sr. (arrived 1:15 p.m.)
Gary F. Loonsfoot, Sr. (left 2:40 p.m.)
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo
Shawanung (left 2:30 – 4:00 p.m.)
- Absent: Warren C. Swartz, Jr.
- E. Declaration of Quorum: President LaFerner declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 15, 2006
- Addition- FYI: 7. Mike Duschene – Gaming Commission Brochure
- Move- Old Business: 3. Jason Ayres – move to Closed Session.

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

G. For Your Information:

1. A copy of the Gaming Commission meeting minutes from November 28, 2006.
2. A copy of NCAI News – Esther Martinez Native American Language Preserve Act passed through Congress and is being forwarded to the President for signing.
3. A copy of a letter of denial for "Absentee Ballot" from the Election Board.
4. A copy of a letter to Blaine Ross from the Election Board to provide proof of residency.
5. A copy of a letter from Wisconsin Resources Protection Council
6. Susan LaFernier – FYI a) From NIGA there are no amendments as the 109th closes. Robert Jonker of MI was not confirmed to be a U.S. District Judge for the Western District of MI. The President will have to re-nominate him in 2007.
b) Invite from David Haataja to the Marquette Employee Christmas Party on December 17 at the Holiday Inn and the Table Games will close at 5 p.m. that day and re-open at the normal time on December 18.
c) There are 35 Tribal Child Support Programs around the nation and KB is one of them.
7. Mike Duschene – Gaming Commission Brochure. This was a final draft and the costs were \$300.00 for 4000, 8x14 folded, from the Print Shop.
8. Joe Dowd presented information on the Winter Ceremonics at the Saginaw Ojibwc Reserve in Mt. Pleasant on February 14 – 18, 2007.

H. Recognized Schedule Individuals:

1. Summer Cohen/ Donald Chosa – Presentation on A.N.A. Language Grant Program. There was a Community Meeting on December 6th. A survey for an assessment will be sent out on/by January 20th. The objectives for the next 4 years were also submitted.

I. Approval of Meeting Minutes:

1. June 10, 2005

MOTION MADE BY FRED DAKOTA TO APPROVE THE JUNE 10, 2005 MEETING MINUTES. SUPPORTED BY DOREEN G. BLAKER. SIX IN FAVOR (Doreen G. Blaker, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Shawanung), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Elizabeth "Chiz" Matthews), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. June 11, 2005

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE JUNE 11, 2005 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ONE ABSTAINING (Elizabeth "Chiz" Matthews), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFerner, Sr.), MOTION CARRIED.

3. June 23, 2005

MOTION MADE BY DOREEN G. BLAKER TO TABLE THE JUNE 23, 2005 MEETING MINUTES UNTIL THEY ARE CHECKED. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ONE ABSTAINING (Elizabeth "Chiz" Matthews), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFerner, Sr.), MOTION CARRIED.

4. June 24, 2005

MOTION MADE BY DOREEN G. BLAKER TO TABLE THE JUNE 24, 2005 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Doreen G. Blaker, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Shawanung), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Elizabeth "Chiz" Matthews), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFerner, Sr.), MOTION CARRIED.

5. November 9, 2006

MOTION MADE BY FRED DAKOTA TO APPROVE THE NOVEMBER 9, 2006 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFerner, Sr.), MOTION CARRIED.

Break: 10:35 – 10:50 a.m.

(Gary Loonsfoot left the meeting)

J. Old Business:

1. Doreen Blaker – a) "Trapping Law" – Doreen was looking for advice on the issue of raccoons, there is a limit of 5 right now and she thinks it should be revised to exclude raccoons and they would fall under other fur animals, which have no limit. She will talk to Todd Warner and the Natural Resources Committee and also with the Conservation Department. The Council suggested to revise the entire Trapping Law.
 - b) Use of Old Maintenance Garage – Charlie Gauthier was asking if he could use the garage for the Community Center storage. Doreen will discuss this issue with Jeff Lamson.

Fred Dakota left at 10:56 a.m.

Gary Loonsfoot returned at 10:56 a.m.

2. John Baker – a) Tobacco License Renewal for Jerry Magnant & Kerry Varline/KBO Outfitters.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE JERRY MAGNANT AND KERRY VARLINE'S TOBACCO LICENSE RENEWAL APPLICATION. SUPPORTED BY SHAWANUNG. SEVEN IN FAVOR (Doreen G. Blaker, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

Fred Dakota returned at 11:03 a.m.

- b) Amended and Restated Resolution – KB 1506-2006 – Regarding the prior 457 & present 401K Plan distributions that will be issued before the end of December 2006.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE AMENDED AND RESTATED RESOLUTION KB 1506-2006 WITH THE CHANGE ON THE FIRST PAGE. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

K. New Business:

1. Jason Ayres – Resolution KB 1515-2006 FY 07 - Transportation Improvement Plan/Priority List of Projects. The roads included Brewery/Vuk and the road behind the college which will use most of the money for 2007.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB 1515-2006. SUPPORTED BY SHAWANUNG. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. Arlan Friisvall – Purchase of New Van for the Cleaning Crew. Arlan presented (3) bids.

MOTION MADE BY FRED DAKOTA TO APPROVE \$16,200.00 FOR A VAN FROM THOMAS FORD. SUPPORTED BY SHAWANUNG. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. Todd Warner- a) KBIC Hatchery Fish Health Inspection; US Fish & Wildlife Reimbursable Agreement. This has been done since 1993.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE KBIC HATCHERY FISH HEALTH INSPECTION, U.S. FISH AND WILDLIFE REIMBURSABLE AGREEMENT. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

b) Task Agreement with USDA-NRCS for collection & storage of Ash seed. The seed will be long term stored at the Rose Lake Plant Materials Center. Todd will check to see if we can keep the seed. This may be addressed in the M.O.A.

MOTION MADE BY DOREEN G. BLAKER TO AUTHORIZE THE KBIC PRESIDENT/CEO TO SIGN THE TASK AGREEMENT, WITH TODD GETTING US THAT INFORMATION FROM USDA-NRCS. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

c) ATV Purchase (3 bids)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PURCHASE OF A FOUR-WHEELER FOR THE BROWNFIELD RESPONSE PROGRAM FROM THE HANCOCK BIKE SHOP, 2007 MODEL, FOR \$10,265.00. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. FIVE IN FAVOR (Fred Dakota, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), THREE OPPOSED (Doreen G. Blaker, Toni J. Minton, Gary F. Loonsfoot, Sr.), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

d) Silver River Stream Gauge; Joint Funding Agreement with U.S. Geological Survey.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE SILVER RIVER STREAM GAUGE; 2007 JOINT FUNDING AGREEMENT BETWEEN KBIC AND U.S. GEOLOGICAL SURVEY FOR OPERATION AND MAINTENANCE ON THE SILVER RIVER. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

e) Snowmobile Purchase.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO TABLE THE SNOWMOBILE REQUEST UNTIL THERE ARE BIDS ON ALL 2007'S. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

f) Salmon Trout & Yellow Dog River Stream Gauges; Joint Funding Agreement with U.S. Geological Survey. Total cost is \$52,300.00 (KBIC \$34,100.00, Yellow Dog \$18,200.00) for operation and maintenance. This is for the third year.

MOTION MADE BY TONI J. MINTON TO APPROVE THE JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR THE SALMON TROUT AND YELLOW DOG RIVER STREAM GAUGES THAT WAS BUDGETED. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.

Lunch: 11:47 a.m. – 1:05 p.m.

Larry Denomie here at 1:05 p.m.

L. Closed Session:

1. Amy St. Arnold – Proposal 2
2. David Haataja/John Mantila
3. Grievance Hearing 1:00 p.m. – Case #009-06
4. Sarah Smith –
 - a) Senior Renovation Bids
 - b) Pre-Primary Education Proposal
5. John Baker – Updates/Language Contract Amendment
6. Susan LaFernier – Personnel
7. Jason Ayres -
 - a) The Tribe's house on Johnson Road
 - b) Emery's Property

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO GO INTO CLOSED SESSION FOR THE ITEMS LISTED AT 1:06 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), THREE OPPOSED (Fred Dakota, Elizabeth D. Mayo, Shawanung), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr. Michael F. LaFernier, Sr.), MOTION CARRIED.

Mike LaFernier arrived at 1:15 p.m.

Break: 2:03 – 2:10 p.m.

Joe Dowd left at 2:30 – 4:03 p.m.

Break: 3:03 – 3:20 p.m.

Larry Denomie left at 4:03 p.m.

Gary Loonsfoot left at 2:40 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 5:00 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO MAKE THE OCC ON-CALL EMPLOYEES WHO WORK IN THE INDOOR PLAYCENTER TO BECOME PART-TIME EMPLOYEES FOR THE PRE-PRIMARY EDUCATION PROGRAM. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFernier, Sr., Shawanung), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO POST FOR A PRE-PRIMARY EDUCATION DIRECTOR. SUPPORTED BY DOREEN G. BLAKER. SIX IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Michael F. LaFernier, Sr., Shawanung), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PRE-PRIMARY EDUCATION PROGRAM AS PRESENTED AND THE COOK WILL REMAIN AT 40 HOURS. SUPPORTED BY DOREEN G. BLAKER. SIX IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Shawanung), ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO APPROVE THE POSTING FOR BIDS FOR THE HOME ON JOHNSON ROAD. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE A \$75 CHRISTMAS BONUS FOR THE SEVEN EMPLOYEES AT THE RADIO STATION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO APPROVE A DONATION OF \$500 FOR THE NEW YEARS EVE SOBRIETY DANCE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO APPROVE THE AMENDMENT TO THE SERVICE AGREEMENT WITH EARL OTCHINGWANIGAN AND CHANGE THE SERVICE DATES OF THE TERMS OF THE AGREEMENT TO OCTOBER 25, 2006 TO SEPTEMBER 30, 2007. SUPPORTED BY SHAWANUNG. SEVEN IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

M. Adjournment:

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO ADJOURN AT 5:10 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,


Peggy Minton
Recording Secretary