

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
THURSDAY – DECEMBER 6, 2012 – 9:00 A.M.

- A. Date: December 6, 2012
- B. Call to Order: Vice President Mayo called the meeting to order at 9:12 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Elizabeth D. Mayo, Vice President
Susan J. LaFernier, Secretary
Toni J. Minton, Treasurer (left at 12:02 p.m.)
Robert R.D. Curtis, Jr. (arrived at 9:16 a.m.)
Eddy Edwards
Jean Jokinen (left 9:22 – 9:40 a.m.)
Michael F. LaFernier, Sr.
Elizabeth “Chiz” Matthews
Absent: Warren C. Swartz, Jr., President
Jerry Lee Curtis, Assistant Secretary
Fred Dakota
Carole L. LaPointe
- E. Declaration of Quorum: Vice President Mayo declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 6, 2012
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| Deletions: | New Business- | 5. Carole LaPointe – a) Child Endangerment Code b) Committee Monthly Reports Request c) Affordable Health Care Act Report |
| Additions: | New Business- | 8. Vice President Mayo – a) Resolution KB-1913-2012 Attorney Contract |
| | Old Business- | 4. Eddy Edwards – Approval to Release Council Meeting Video Recordings to the Website |
| | Recognize Scheduled Delegation/Individuals- | 1. Susan LaFernier, Secretary – b) Consultation - Corps of Engineers |

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Robert R.D. Curtis, Jr., Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

R.D. Curtis arrived at 9:16 a.m.

G. For Your Information:

1. Photo Shoot with the Copper Country Squadron Civil Air Patrol – Mike Roth and Donald Elmblad (\$2,500.00 Donation)
2. K.B. Ojibwa Housing Authority (OHA) Annual Report FY2012

H. Recognize Scheduled Delegation/Individuals:

1. Jessica Koski, NRD Mining Tech Assistant –
 - a) Presentation of Transcript from Jeffery Loman regarding an interview with a former Celotex log yard Supervisor in 1974
 - b) Susan LaFerner, Secretary – Consultation Corps of Engineers regarding the proposed water intake line in Lake Superior in Ironwood Township, Michigan by the Gogebic Range Water Authority for the Orvana Copperwood Mine

Jean Jokinen left at 9:22 a.m.

MOTION MADE BY EDDY EDWARDS TO DIRECT THE NATURAL RESOURCES DEPARTMENT TO INITIATE A LETTER REQUESTING A GOVERNMENT-TO-GOVERNMENT CONSULTATION TO THE ARMY CORPS OF ENGINEERS ASSOCIATED WITH THE COPPERWOOD MINE. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Jean Jokinen, Carole L. LaPointe), MOTION CARRIED.

Jean Jokinen returned at 9:40 a.m.

I. Old Business:

1. Pam Nankervis, NRD Wildlife Biologist – Final KBIC Wolf Management Plan Review on November 29 the SB 1350 Wolf Bill passed and now goes to the House

The Council consensus was not to allow wolf hunting on the reservation. There are two options to consider which are to declare the reservation a “Wolf Sanctuary” or to bring Code amendments forward through the Legislative Process.

2. Brad Dakota, Chief Judge –

a) Tribal Court Christmas Party Clarification

Brad clarified that the Tribal Court Christmas Party is a Law Enforcement and other agencies to promote their justice system Party, not a Departmental Party. Employees have a choice of which Christmas party to attend for eligibility of prizes.

b) Appellate Court Justice Appointment

Judge Mechin's term has expired and the Council will look into the selection process to fill the vacancy.

3. Larry Denomie III, CEO – Ferrellgas, L.P. Options/Provider Service Agreement

MOTION MADE BY EDDY EDWARDS TO DIRECT STAFF TO DEVELOP A CONTRACT WITH LACOURT GAS WITH THE GUARANTEED PRICING AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

4. Eddy Edwards – Approval to Release Council Meeting Video Recordings to the KBIC Website

MOTION MADE BY EDDY EDWARDS TO APPROVE THE OPEN SESSION MEETINGS TO BE PLACED ON THE WEBSITE STARTING WITH SEPTEMBER 2012 AND ADD SUSAN LAFERNIER'S FRIENDLY AMENDMENT TO WORK ON A FORMAL POLICY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Break: 10:29 – 10:45 a.m.

J. New Business:

1. Evelyn Ravindren, Parks and Recreation Chair/Suzanne Jondreau/Allen Gauthier/Rodney Loonsfoot – Campground Road Pavement. Work will not begin until Spring. The committee listed 6 reasons why they suggested the loop design instead of a turnabout at the Marina.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE REQUEST OF THE PARKS AND RECREATION COMMITTEE OF CHANGING THE ROAD DESIGN TO A ONE-WAY LOOP. SUPPORTED BY ROBERT R.D. CURTIS, JR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Bruce LaPointe was present to explain modifications to his budget.

2. Katherine Kruse, NRD Environmental Response Program Specialist/Char Spruce - Extension of the Memorandum of Agreement with the Northwest Wisconsin Regional Planning Commission until December 2015 for (2) Household Hazardous Waste Collection Events

MOTION MADE BY EDDY EDWARDS TO APPROVE AN AMENDMENT TO THE MOA WITH THE NORTHWEST WISCONSIN REGIONAL PLANNING COMMISSION FOR AN EXTENSION THROUGH DECEMBER 31, 2015. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

3. Janice Halverson, CNAP Director –

- a) LIHEAP Update
- b) Senior/Disabled Heating Assistance Program Proposed Amendment

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE A TEMPORARY AMENDMENT TO THE SENIOR/DISABLED HEATING ASSISTANCE PROGRAM TO PROVIDE THE SAME ELECTRICITY AMOUNT THAT WAS PAID BY THE LIHEAP DAP PROGRAM FOR THEIR HEATING AND TO AMEND THE LIHEAP DAP PLAN TO INCLUDE ELECTRICITY COSTS AND BRING BACK THE INCOME GUIDELINES SHOWING THE CHANGES FROM LAST YEAR’S PLAN TO THIS YEAR FOR NEXT WEEK’S MEETING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Lunch: 12:01 – 1:07 p.m.

Toni Minton left at 12:02 p.m.

4. Chris Chosa, THPO Director (not present)/Gary Loonsfoot, Jr. – Renewal of Earl Otchingwanigan Services Agreement/Amendments to provide language revitalization and preservation services for one year

MOTION MADE BY JEAN JOKINEN TO APPROVE THE SERVICES AGREEMENT WITH EARL OTCHINGWANIGAN. SUPPORTED BY ROBERT R.D. CURTIS, JR. SIX IN FAVOR (Susan J. LaFerner, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Chuck Miller will be recording documentaries for the Tribe to include history, language, and stories.

5. Toni Minton, Treasurer (not present)/Vice President Mayo/David Haataja present – Donation Request from Casino Employees for EMT Training – the classes begin on January 8, 2013.

MOTION MADE BY JEAN JOKINEN TO APPROVE ASHLEY SHALIFOE AND ZELINA HUHTA TO ATTEND EMT CLASSES IN THE AMOUNT OF \$1,300.00 EACH AND REQUIRE THEM TO COMPLETE THE COURSE OR RETURN THE FUNDING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

An agreement will be developed to acknowledge repayment if the course is not completed.

6. Larry Denomie III, CEO – Weekly Update

7. Vice President Mayo –

Resolution KB-1913-2012 for one year

- a) Lindy Grell Tribal Attorney/Tribal Prosecuting Attorney Employment Agreement –

MOTION MADE BY EDDY EDWARDS TO APPROVE RESOLUTION KB-1913-2012 WHICH GOVERNS THE EMPLOYMENT AGREEMENT FOR THE TRIBAL ATTORNEY/TRIBAL PROSECUTING ATTORNEY LINDY GRELL. SUPPORTED BY ROBERT R.D. CURTIS, JR. FIVE IN FAVOR (Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Susan J. LaFernier), ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Susan LaFernier questioned the 13 days of Annual Leave.

- b) Ojibwa Housing Authority Business License Renewal (Gas Station) Ojibwa BP

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE BUSINESS LICENSE RENEWAL FOR THE OJIBWA BP. SUPPORTED BY ROBERT R.D. CURTIS, JR. FIVE IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

c) Paul W. Stark Business License Application (Baraga Telephone Company)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE NEW BUSINESS LICENSE APPLICATION FOR PAUL W. STARK WITH THE BARAGA TELEPHONE COMPANY. SUPPORTED BY ROBERT R.D. CURTIS, JR. FIVE IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Jean Jokinen), ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Recess: 2:06 – 3:05 p.m.

[Recognize Scheduled Delegation/Individuals]

2. Scott Dianda, 110th District Michigan State House Representative Elect/Elise Matts

He also visited LVD and thanked us for our support in his campaign.

The Council discussed the gas station and the Marquette property, protection of the Great Lakes and the Mining issues/DEQ and the Marquette Airport Casino.

Scott Dianda informed the Council that he would be available to attend public gatherings with the Tribe and wants to open communication.

K. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 3:23 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Robert R.D. Curtis, Jr., Eddy Edwards, Jean Jokinen, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Toni J. Minton, Fred Dakota, Carole L. LaPointe), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist