

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JULY 29, 2010 – 9:00 A.M.**

- A. Date: July 29, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer and a prayer for the Family of Rod Edwards
- D. Roll Call: Present: Warren C. Swartz, Jr., President
William E. Emery, Vice President
Susan J. LaFerner, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Jerry Lee Curtis (arrived at 9:16 a.m.)
Fred Dakota
Gary F. Loonsfoot, Sr. (arrived at 9:33 a.m.)
Elizabeth D. Mayo
Toni J. Minton
Isabelle Helene Welsh (arrived at 9:19 a.m.)
Absent: Eddy Edwards, Treasurer
Michael F. LaFerner, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 29, 2010
- Additions: FYI- 1. Assinins Cemetery Issue
Closed Session- 5. President Swartz – Land Purchase

Jerry Lee Curtis arrived at 9:16 a.m.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Toni J. Minton), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Eddy Edwards, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

G. For Your Information:

1. Assinins Cemetery Issue – Concerns from Glen Bressette’s Family were addressed regarding the drain pipe installation for the water hand pump in the cemetery being placed too close to graves. The pipe has been moved a foot over the boundary line.

Isabelle Welsh arrived at 9:19 a.m.

H. Old Business:

1. Larry Denomie III, CEO –
 - a) Department of Transportation Specialist Job Description – Larry and Jason Ayres feel Bruce LaPointe is capable of overseeing this position. The Council will discuss further after the audits are reviewed and a discussion with Mike LaFerner, Sr.
 - b) Zero Tolerance for Theft Policy [Rescheduled August 5, 2010]

Gary Loonsfoot, Sr. arrived at 9:33 a.m.

I. New Business:

1. Denise Cadeau, House Manager – New Day Van Bids

(7) Passenger Van – (3) bids

MOTION MADE BY FRED DAKOTA TO APPROVE THE BID FROM NORTHERN AUTO FOR A SEVEN PASSENGER DODGE CARAVAN IN THE AMOUNT OF \$22,445.00. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

(15) Passenger Van – (3) bids for (2) 2010 (1) 2011

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BID FROM COPPER COUNTRY FORD FOR A FIFTEEN PASSENGER VAN IN THE AMOUNT OF \$31,900.00. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

2. Philomena Ekdahl, Elder Nutrition – Resolution KB-1769-2010 North Dakota National Resource Centers on Native Aging to conduct a needs assessment on Native elder health care needs

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1769-2010 NATIONAL RESOURCE CENTER OF NORTH DAKOTA ON NATIVE AGING. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Eddy Edwards, Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

(Fred Dakota is out of the room)

Break: 9:51 – 10:03 a.m.

3. Robert Mudd, Baraga Casino General Manager/Jacki Skytta, Casino’s Marketing Manager – Baraga 25th Anniversary Celebration Profit Projections/Estimated Expenses

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE 25TH ANNIVERSARY CELEBRATION PLAN FOR THE OJIBWA CASINO IN BARAGA FROM NOVEMBER 6-13, 2010. SUPPORTED BY ISABELLE H. WELSH. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

4. John Baker, Attorney –

- a) New Business License Application Paul Smith/Joseph Rantanen-“First Catch” - Fish Sales

MOTION MADE BY ELIZABETH D. MAYO TO DENY THE NEW BUSINESS LICENSE APPLICATION FOR PAUL SMITH AND JOSEPH RANTANEN FIRST CATCH FISH SALES BASED ON THE LOCATION BEING A RESIDENTIAL ADDRESS WITH THE OJIBWA HOUSING AUTHORITY. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), ONE OPPOSED (Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

- b) New Business License Application Joseph Dowd – Zeba Jewelry and Pottery

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE NEW BUSINESS LICENSE APPLICATION FOR JOSEPH DOWD ZEBJA JEWELRY AND POTTERY. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

- c) New Business License Application Richard A. Geroux/American Legion Post 444 – Veterans Organization Non-profit Food Sales

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NEW BUSINESS LICENSE APPLICATION FOR RICHARD GEROUX/AMERICAN LEGION POST 444 FOOD SALES. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

5. Susan LaFerner, Secretary – Donations July 2010

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JULY 2010 DONATION REQUESTS FOR MARY WRIGHT WITH THE PINE MOUNTAIN MUSIC FESTIVAL FOR \$1,000.00 AND CONGRESSMAN DALE KILDEE FOR \$4,800.00. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

6. Jacki Skytta, Casino’s Marketing Manager – MTU Marketing Contract Sponsorship – Hockey Program

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE THREE-YEAR CONTRACT WITH THE OJIBWA CASINO AND THE MICHIGAN TECH ATHLETIC DEPARTMENT FOR MARKETING SPONSORSHIP IN THE AMOUNT OF \$10,800.00. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

J. Closed Session:

1. Jacki Skytta, Casino’s Marketing Manager – Comedians Contracts (3) and Producer Fee
2. Todd Warner, NRD - Consulting Contract Review
3. John Baker, Attorney
4. Francis LaPointe, CFO – Audits
5. President Swartz – Land Purchase

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 10:49 A.M. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

Break: 10:57 – 11:15 a.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 11:46 A.M. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Marquette Property Purchase Agreement Approval – 3 Amigo’s

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE PURCHASE AGREEMENT WITH CLARK LAMBROS FOR MARQUETTE PROPERTY OF 2.78 ACRES FOR \$1.5 MILLION WITH A DEPOSIT OF \$100,000.00. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton), ONE OPPOSED (Isabelle H. Welsh), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Fischer Biological Consulting, LLC - Consultant Agreement – improvements to the hatchery water supply and distribution system for \$10,350.00

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FISCHER BIOLOGICAL CONSULTING AGREEMENT. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Wirth Entertainment Agency/Gersh Agency Contract/Producer Fee – 3 Comedian Acts

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PRESIDENT TO SIGN THE CONTRACTS WITH THE WIRTH ENTERTAINMENT AGENCY, LLC AND APPROVE THE PRODUCER’S FEE OF \$3,000.00 FOR THE UPCOMING COMEDIAN SHOWS. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 11:50 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFernier, Sr.), MOTION CARRIED.

Lunch: 11:51 a.m. – 1:10 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 2:32 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

2009 Audit –

MOTION MADE BY TONI J. MINTON TO POST THE 2009 AUDIT. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 2:33 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Michael F. LaFerner, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist