

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – NOVEMBER 3, 2011 – 9:00 A.M.**

- A. Date: November 3, 2011
- B. Call to Order: Vice President Emery called the meeting to order at 9:14 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: William E. Emery, Vice President  
Susan J. LaFernier, Secretary (left 4:05 – 4:37 p.m.)  
Toni J. Minton, Assistant Secretary  
Elizabeth D. Mayo, Treasurer  
Fred Dakota (left at 10:40 a.m.)  
Eddy Edwards (arrived at 9:38 a.m.)  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Sr. (left at 2:49 p.m.)  
Elizabeth “Chiz” Matthews  
Isabelle Helene Welsh  
Absent: Warren C. Swartz, Jr., President  
Jerry Lee Curtis
- E. Declaration of Quorum: Vice President Emery declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 3, 2011
- Additions: New Business- 3. Elizabeth Mayo, Treasurer - b) Christmas Checks  
Closed Session- 6. Larry Denomie III, CEO – b) Pines Issue

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

G. For Your Information:

1. A letter from State Representative Michigan House Ken Goike on Repeal of the Indian Tuition Waiver Act
2. AFDO/Seafood Alliance HACCP Training in Petoskey, MI on December 6-8, 2011

H. Approval of Meeting Minutes:

1. March 10, 2011

**MOTION MADE BY FRED DAKOTA TO APPROVE THE MARCH 10, 2011 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

2. March 17, 2011

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MARCH 17, 2011 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

I. New Business:

1. Jason Ayres, Realty Officer – Resolution KB-1858-2011 Cindy L. Knapp Residential Lease

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1858-2011 CINDY L. KNAPP RESIDENTIAL LEASE. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Eddy Edwards), MOTION CARRIED.**

2. Gary Loonsfoot, Jr., Language Coordinator/Chris Chosa, THPO Director – KBIC Fluency Level Certification for Language Instructors from Senate Bill 1014 – Gary and Chris will visit the Buganey Gezhig Indian School in Cass Lake, MN to view their certification process and proficiency testing tools for language fluency levels.

**Eddy Edwards arrived at 9:38 a.m.**

3. Elizabeth Mayo, Treasurer –
  - a) 2% Requests for Review

**Break: 10:05 – 10:23 a.m.**

**Fred Dakota left at 10:40 a.m.**

- b) Christmas Checks - Jennifer Misegan/Francis LaPointe present – Friday, November 4<sup>th</sup> is the deadline to submit any changes to the Christmas Check Committee

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE \$1850.00 FOR THE CHRISTMAS CHECK AMOUNT TO THE 18 YEAR OLDS AND OVER. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota), MOTION CARRIED.**

- 4. Larry Denomie III, CEO – Weekly Update

J. Closed Session:

- 1. Todd Warner, NRD – Great American Disposal Contract
- 2. Bruce LaPointe, Project Manager –
  - a) Associated Constructors, LLC Demolition Contract
  - b) Shawn Taisto Equipment Lease
  - c) L & H Utility Contractors, Inc. Services Agreement
- 3. Brigitte LaPointe, Chair/Gregg Nominelli, Economic Developer - KBIC Correctional Facilities Advisory Board Recommendation to Approve Gundlach Champion, Inc. Consultant Agreement
- 4. Government Employee Grievance Hearing Case #006-11
- 5. John Baker, Attorney
- 6. Larry Denomie III, CEO –
  - a) Baraga Casino General Manager Position
  - b) Pines Issue

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:24 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Elizabeth D. Mayo, Eddy Edwards), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota), MOTION CARRIED.**

**Lunch: 11:57 a.m. – 1:13 p.m.**

**Gary Loonsfoot, Sr. left at 2:49 p.m.**

**Break: 3:07 – 3:21 p.m.**

**Susan LaFernier left 4:05 – 4:37 p.m.**

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO OPEN SESSION AT 4:53 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Resolution KB-1859-2011 Baraga 2% -

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1859-2011 BARAGA 2%. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Resolution KB-1860-2011 Marquette 2% -

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1860-2011 MARQUETTE 2%. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

David Haataja appointed to General Manager of both Baraga and Marquette Casinos -

**MOTION MADE BY ELIZABETH D. MAYO TO APPOINT DAVID HAATAJA TO GENERAL MANAGER OF BOTH PROPERITES AND TO TRAIN DALE SHALIFOE AND RE-EVALUATE IN SIX MONTHS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Toni J. Minton, Elizabeth D. Mayo, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ONE ABSTAINING (Susan J. LaFernier), FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Gundlach Champion, Inc. Consultant Agreement – To conduct a study to assess the need for, and feasibility of, the construction, operation and maintenance of an adult and juvenile detention and correctional facility or federal security, or similar facility on Tribal lands for \$34,500.00.

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE CONSULTANT AGREEMENT WITH GUNDLACH CHAMPION, INC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Great American Disposal Company Services Agreement – Natural Resource Department

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE GREAT AMERICAN DISPOSAL COMPANY SERVICES AGREEMENT TO PROVIDE HAULING AND RECYCLING OF USED TIRES IN THE AMOUNT OF \$29,900.00. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Associated Constructors, LLC Demolition Contract – Los Tres Amigos/Marquette Property for \$49,275.00

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE DEMOLITION CONTRACT WITH ASSOCIATED CONSTRUCTORS, LLC. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

L&H Utility Contractors, Inc. Services Agreement – Directional Drilling Services Public Works Department/2 I.H.S. sites \$14,487.50

**MOTION MADE BY TONI J. MINTON TO APPROVE L&H UTILITY CONTRACTORS, INC. SERVICES AGREEMENT. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Shawn Taisto Equipment Lease –

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE EQUIPMENT LEASE BETWEEN KBIC AND SHAWN TAISTO. SUPPORTED BY ISABELLE H. WELSH. THREE IN FAVOR (Toni J. Minton, Elizabeth D. Mayo, Isabelle H. Welsh), FOUR OPPOSED (Susan J. LaFernier, Eddy Edwards, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION DEFEATED.**

K. Adjournment:

**MOTION MADE BY EDDY EDWARDS TO ADJOURN AT 5:00 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Elizabeth D. Mayo, Eddy Edwards, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist