

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JULY 14, 2011 – 9:00 A.M.**

- A. Date: July 14, 2011
- B. Call to Order: President Swartz called the meeting to order at 9:25 a.m.
- C. Invocation: Lord’s Prayer and an Ojibwa Prayer by Dale Shalifoe
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Secretary
Toni J. Minton, Assistant Secretary
Eddy Edwards, Treasurer (left 1:14 – 1:46 p.m.)
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (arrived at 9:30 a.m.)
Isabelle Helene Welsh (arrived at 9:27 a.m.)
- Absent: William E. Emery, Vice President
Gary F. Loonsfoot, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 14, 2011
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| Addition: | Old Business- | 3. President Swartz – Baraga County Community Foundation Donation Request |
| Deletion: | Closed Session- | 2. Appeal of Dismissal Hearing Case #004-11 |

Isabelle Welsh arrived at 9:27 a.m.

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, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

G. For Your Information:

1. Condolence Letters to the Voakes Family from the White House, Department of the Army, 793rd Military Police Battalion, Chairman of the Joint Chiefs of Staff, Commander U.S. Central Command, The Secretary of Defense
2. Personnel Policy 3.6 Amendments for your review – Background Investigations – Policy for Employees, Volunteers, and Others subject to the Indian Child Protection and Family Violence Act

Elizabeth Mayo arrived at 9:30 a.m.

H. Approval of Meeting Minutes:

1. December 9, 2010

MOTION MADE BY EDDY EDWARDS TO APPROVE THE DECEMBER 9, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

2. December 11, 2010

MOTION MADE BY FRED DAKOTA TO APPROVE THE DECEMBER 11, 2010 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

I. Closed Session:

1. Baraga Casino Assistant General Manager Interviews (4)
2. Robert Mudd, Baraga Casino General Manager – Kellie Pickler Concert Contract
3. Todd Warner, NRD – Horizon Environmental Services Agreement

4. John Baker, Attorney

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 9:43 A.M. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO GO INTO OPEN SESSION AT 12:03 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO OFFER THE ASSISTANT GENERAL MANAGER POSITION TO DALE SHALIFOE AT \$65,000.00.

Motion died for lack of support.

MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE ASSISTANT GENERAL MANAGER POSITION TO DALE SHALIFOE AT \$57,500.00. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Lunch: 12:05 – 1:14 p.m. (Elizabeth Mayo/Eddy Edwards absent)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 1:15 P.M. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, FOUR ABSENT (William E. Emery, Eddy Edwards, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Mayo returned from lunch at 1:16 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:27 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz”

Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Kellie Pickler Concert Contract – Creative Artists Agency for Concert August 13, 2011 at the Baraga Casino

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE KELLIE PICKLER CONCERT CONTRACT. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Horizon Environmental Corporation Services Agreement – Natural Resource Department

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE HORIZON ENVIRONMENTAL CORPORATION SERVICES AGREEMENT TO PROVIDE DATA VALIDATION AND ASSESSMENT SERVICES FOR \$4,800.00. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Demaray and Dorsey & Whitney, LLP Professional Services Agreement – Analysis and Consultation on the Contract Support Costs Claims

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH RONALD DEMARARY AND DORSEY, NOT TO EXCEED \$2,000.00. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Eddy Edwards, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

J. Old Business:

1. Gregg Nominelli, Economic Developer – Roll Your Own (RYO) Business Plan

Eddy Edwards returned from lunch at 1:47 p.m.

MOTION MADE BY FRED DAKOTA TO APPROVE THE PURCHASE OF TWO ROLL YOUR OWN TOBACCO MACHINES IN THE AMOUNT OF \$32,500.00 EACH. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

2. Bruce LaPointe, Projects Manager/Todd Warner, NRD –

- a) Sand Point/Powwow Camp Ground Road System Layout (tabled July 9, 2011)

Todd Warner suggested the Americorps workers to fill the wetland at the campground. He will lay out a plan and bring it to the Council and include the process for the Army Corp's transfer of wetlands.

Bruce will draw up a new map (to scale) and bring to the Parks and Recreation Committee for a recommendation.

- b) Request for Use of Soil from Industrial Park for Stamp Sand Restoration Project

A motion was made on February 7, 2006 granting permission for this request. There was consensus to allow the remaining soil that he did not use at that time to be used on the wetland or remaining stamp sand.

3. President Swartz – Baraga County Community Foundation Donation Request August 12, 2011

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE A SPONSORSHIP OF TWO TEAM FEES AT \$180.00 EACH AND A TEE SPONSORSHIP AT \$200.00, USING THE PINES AND CASINO FOR EACH HOLE AT THE TONY SELKEY THREE MAN MEMORIAL GOLF SCRAMBLE. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Break: 2:40 – 2:55 p.m.

K. New Business:

1. Cheryne Clements, Youth Director - KBIC Youth Programs Chaperone Policy

Discussion/Review – Cheryne will make the changes discussed and return on July 21, 2011.

President Swartz announced that Dale Shalifoe has accepted the Assistant General Manager position at \$57,500.00 plus moving expenses at \$2,000.00.

2. Todd Warner/Char Spruce/Katherine Kruse, NRD – Resolution KB-1846-2011 Environmentally (Respectful) Preferable Purchasing Policies

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1846-2011 ENVIRONMENTALLY RESPECTFUL PURCHASING POLICIES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz”

Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

3. John Baker, Attorney (not present) – Renewal Business License Stacey Koski “World of Wheels”

MOTION MADE BY EDDY EDWARDS TO APPROVE THE BUSINESS LICENSE RENEWAL FOR STACEY KOSKI’S WORLD OF WHEELS. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

4. Eddy Edwards, Treasurer – FY2012 Budget Timeline Schedule

The Council would like to know the amounts for proposed various percent raises for employees.

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 3:51 P.M. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (William E. Emery, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist