

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – OCTOBER 7, 2010 – 9:00 A.M.**

- A. Date: October 7, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:07 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (left 10:12 a.m. – 1:53 p.m.)
William E. Emery, Vice President
Susan J. LaFerner, Secretary
Elizabeth “Chiz” Matthews, Assistant Secretary
Eddy Edwards, Treasurer (left at 3:15 p.m.)
Jerry Lee Curtis (arrived at 1:27 p.m.)
Fred Dakota
Gary F. Loonsfoot, Sr. (left 11:51 a.m. – 1:55 p.m., left at 2:45 p.m.)
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 9:33 a.m.)
Absent: Michael F. LaFerner, Sr.
Toni J. Minton
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 7, 2010

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

- G. For Your Information:

1. Approved Baraga Voting List [It will be handed out later in the day]

2. Letter of Appreciation for Debra Picciano who served as a trainer for Basic and Intermediate Social Services Training from the Bureau of Indian Affairs
3. National Forest System Land Management Planning Rule – opportunity for government-to-government consultation before the final rule is published

H. Old Business:

1. Susan LaFerner, Secretary – Mary Lou Jossens Services Agreement – Chelsey LaFerner Memorial Walk (Feast)

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICES AGREEMENT WITH MARY LOU JOSSENS IN THE AMOUNT OF \$2,487.50 AND TO HAVE THE CEO PROVIDE AN INSERVICE WITH THE DEPARTMENT HEADS TO TRAIN THEM ON THE PROCEDURE OF THE SERVICES AGREEMENT. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

I. New Business:

1. Jennifer Misegan, Enrollment Director – Funeral Benefits

Jennifer is seeking a motion on the agreed \$4,000.00 increase from the budget for funeral benefits to members as of October 1st.

She would also like to discuss the policy further regarding grave marker allocations. If the member has one already, that money can be used towards funeral expenses.

Jennifer and Susan LaFerner will meet with Sue Jacobs and Jack Reid to develop a form for Tribal members so it is clear what the Tribe will pay for and anything outside of that amount, the family is responsible for.

MOTION MADE BY EDDY EDWARDS TO INCREASE THE FUNERAL BENEFIT AMOUNT FROM \$3,000.00 TO \$4,000.00. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh arrived at 9:33 a.m.

2. Robert Mudd/David Haataja – Table Games Manager Position – Baraga and Marquette

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PROPOSED POSITION DESCRIPTION OF A TABLE GAMES MANAGER. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Susan J. LaFerner), ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Toni J. Minton), MOTION CARRIED.

J. Closed Session:

1. Park/Marina Caretaker Interviews (3)
2. Carole LaPointe, Health Director – James Otto Vollmar Services Agreement
3. Gregg Nominelli, Economic Developer – Wind Monitoring Grant Contracts
4. Chris Gerard, Weed and Seed Coordinator – Weed and Seed Contract
5. John Baker, Attorney
6. Budget Review/Approval

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

Break: 10:12 – 10:23 a.m.

President Swartz left at 10:12 a.m. to attend the VOIGT meeting in the Ojibwa Casino Conference Room

[Vice President Emery is chairing the meeting]

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 11:32 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFerner, Sr., Toni J. Minton), MOTION CARRIED.

Parks/Marina Caretaker Position -

MOTION MADE BY FRED DAKOTA TO VOTE BY SECRET BALLOT FOR THE PARKS/MARINA CARETAKER POSITION. SUPPORTED BY GARY F. LOONSFOOT, SR. THREE IN FAVOR (Elizabeth “Chiz” Matthews, Fred Dakota, Gary F. Loonsfoot, Sr.), TWO OPPOSED (Elizabeth D. Mayo, Isabelle H. Welsh), TWO ABSTAINING (Susan J. LaFerner, Eddy Edwards), FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFerner, Sr., Toni J. Minton), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO OFFER THE PARKS/MARINA CARETAKER POSITION TO TOM LOFQUIST. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Elizabeth “Chiz” Matthews, Eddy Edwards, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFernier), FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Toni J. Minton,), MOTION CARRIED.

[Return to New Business]

3. Larry Denomie III, CEO – CNAP Program Immediate Family for Medical Funding and Use of Funds (allowable expenses). It was the consensus of Council not to add personal items to the allowable expenses.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADD TO THE FUNDED MEDICAL TRAVEL ASSISTANCE PROGRAM; GREAT AND GREAT-GREAT NIECES/NEPHEWS AND FIRST COUSINS EFFECTIVE TODAY. SUPPORTED BY ISABELLE H. WELSH. FOUR IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Isabelle H. Welsh), THREE OPPOSED (Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Michael F. LaFernier, Sr., Toni J. Minton), MOTION CARRIED.

Lunch: 11:51 a.m. – 1:25 p.m.

Gary Loonsfoot, Sr. left at 11:51 a.m.

Jerry Lee Curtis arrived at 1:27 p.m.

First Amendment to Steven E. Nelson, J.D., Ph.D. Consultant Agreement for the Weed and Seed Program -

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE FIRST AMENDMENT TO CONSULTANT AGREEMENT WITH PROFESSOR STEVEN E. NELSON FROM OCTOBER 1 TO SEPTEMBER 30, 2011 FOR \$7,500.00. SUPPORTED BY ELIZABETH D. MAYO. SIX IN FAVOR (Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh returned from lunch at 1:35 p.m.

Gregg Nominelli, Economic Developer/Christoph Geiger, Deputy Tribal Attorney – Wind Monitoring Grant Contracts (2) for the Hatchery and Industrial Park

MOTION MADE BY EDDY EDWARDS TO APPROVE THE SERVICES AGREEMENT BETWEEN KBIC AND AMERICAN WIND AND ENERGY GROUP, LLC INCLUDING THE EXPENSES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

MOTION MADE BY EDDY EDWARDS TO APPROVE THE PURCHASE, INSTALLATION, AND SERVICES AGREEMENT BETWEEN KBIC AND THE SEVENTH GENERATION ENERGY SYSTEMS, INC. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

James Otto Vollmar, R. Ph. Services Agreement – Clinic Pharmacy Services

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICES AGREEMENT BETWEEN KBIC AND JAMES OTTO VOLLMAR. SUPPORTED BY EDDY EDWARDS. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 1:50 P.M. AND OPEN TO TRIBAL MEMBERS DURING THE BUDGETS. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

President Swartz returned at 1:53 p.m.

Break: 1:55 – 2:07 p.m.

Gary Loonsfoot, Sr. returned at 1:55 p.m.

Gary Loonsfoot, Sr. left at 2:45 p.m.

Eddy Edwards left at 3:15 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 3:25 P.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Budget 2010-2011 and Annual Raises –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE 2010-2011 BUDGET AND APPROVE A 3% RAISE FOR EMPLOYEES STARTING ON THEIR ANNIVERSARY DATE. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), FOUR ABSENT (Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton,), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 3:28 P.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Eddy Edwards, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist