

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
MONDAY – JUNE 30, 2008 –1:00 P.M.**

- A. Date: June 30, 2008
- B. Call to Order: President Swartz called the meeting to order at 1:07 p.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO (arrived at 1:10 p.m.)
Jerry Lee Curtis
Michael F. LaFernier, Sr. (arrived at 1:34 p.m., left at 3:28 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (arrived at 1:17 p.m.)
Fred Dakota (arrived at 1:08 p.m.)
Absent: Doreen G. Blaker
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

Fred Dakota arrived at 1:08 p.m.

- F. Approval of Agenda: June 30, 2008

Additions: New Business- 3. John Baker, Attorney -
f) James Welsh Fireworks License
g) Joe Waara – Trading with the Chippewas/New
Business License

Closed Session- Warren C. Swartz, Jr., President – add: Other

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Larry J. Denomie III, Doreen G. Blaker, Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.

G. Old Business:

1. Jennifer Misegan, Treasurer – Baraga Fire Department Reimbursement
The department did sell beer at the tournament. They had a State license.

Larry Denomie arrived at 1:10 p.m.

MOTION MADE BY JENNIFER MISEGAN TO REIMBURSE THE BARAGA FIRE DEPARTMENT FOR THE ALCOHOL/LIQUOR LICENSE FOR ONE DAY OF THE FIREMEN’S TOURNAMENT. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINED - 0, FOUR ABSENT (Larry J. Denomie III, Doreen Blaker, Michael F. LaFerner, Sr., Elizabeth D. Mayo), MOTION CARRIED.

(Larry Denomie out of room)

2. Larry Denomie III, CEO - Liability Insurance Renewal [Not Present, return to later in the day]

H. New Business:

1. Chuck Loonsfoot – Assinins Church Request for a fence, gravel and power saw because of theft issues

Elizabeth Mayo arrived at 1:17 p.m.

MOTION MADE BY TONI J. MINTON TO APPROVE A \$6,900.00 DONATION FOR THE CHURCH CEMETERY EXPANSION. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), OPPOSED - 0, TWO ABSTAINED (Elizabeth D. Mayo, Fred Dakota), TWO ABSENT (Doreen Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.

Chuck Loonsfoot also requested to put a gate around the area at the Carp where the Sugar Bush is located because of dumping. Jason Ayres will be contacted concerning the location and residents in that area.

[Return to Old Business #2]

Larry Denomie III, CEO - Liability Insurance Renewal. Our current liability insurance coverage with M3 expires on July 1st. Larry and Sarah obtained (3) quotes.

Mike LaFERNIER arrived at 1:34 p.m.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE LOW BID BY HETRICK & ASSOCIATES THROUGH FIRST AMERICANS FOR \$214,586.00. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINED (Susan J. LaFERNIER), ONE ABSENT (Doreen Blaker), MOTION CARRIED.

2. Larry Denomie III, CEO –

- a) David Haataja/John Mantila/Clay VanBuren - HVAC System Upgrade Proposal for heating and cooling from the John E. Green Company

Two proposals were presented. The project is within the budget and Dominic Picciano will do the wiring for both Casinos. The Council will review at a later date and discuss their priority list.

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE HVAC SYSTEM UPGRADE PROPOSAL. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

- b) GED Software Request from the Even Start Program. Mary DeLine requested that the Tribe pay for half of the cost.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE A \$1788.50 DONATION FOR THE GED 21ST CENTURY HARD DRIVE VERSION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

3. John Baker, Attorney – Business License Renewals

- a) Superior Water Sales – Jerry Magnant/Kerry Varline
- b) Native American Buyers Group – Jerry Magnant/Kerry Varline
- c) J and K Pawn - Jerry Magnant/Kerry Varline
- d) Superior Pizza – Jerry Magnant/Kerry Varline

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BUSINESS LICENSE RENEWALS FOR SUPERIOR WATER SALES, NATIVE AMERICAN BUYERS GROUP, J AND K PAWN AND SUPERIOR PIZZA OPERATED BY JERRY MAGNANT AND KERRY VARLINE. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), TWO OPPOSED (Jennifer Misegan, Michael F. LaFernier, Sr.), ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

Jennifer Misegan stated her opposition: She believes they still owe the Tribe money for the building they are in.

Mike LaFernier stated his opposition: He believes they are selling cigarettes.

e) Pete Morin’s Fireworks Permit

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE RENEWAL BUSINESS LICENSE FOR PETE MORIN’S FIREWORKS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth D. Mayo, Fred Dakota), TWO OPPOSED (Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

Mike LaFernier stated his opposition: He believes Pete Morin still owes the Tribe money.

f) James Welsh – Jim’s Fireworks Renewal

MOTION MADE BY FRED DAKOTA TO APPROVE THE LICENSE FOR JAMES WELSH DOING BUSINESS AS JIM’S FIREWORKS, PENDING THE ADDRESS VERIFICATION, FOR 3 MONTHS, EFFECTIVE JULY 1ST. SUPPORTED BY LARRY J. DENOMIE III. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

g) Joe Waara – New Business License - Trading with the Chippewas – convenience center for retail sales of pop and candy.

MOTION MADE BY FRED DAKOTA TO APPROVE THE ISSUANCE OF A BUSINESS LICENSE FOR JOSEPH WAARA DOING BUSINESS AS TRADING WITH THE CHIPPEWAS. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, TWO ABSTAINED (William E. Emery, Jennifer Misegan), ONE ABSENT (Doreen Blaker), MOTION CARRIED.

I. Closed Session:

1. Jennifer Misegan, Treasurer – Donations
2. Lisa Denomie, Pre-Primary – Personnel Issue
3. Mary DeLine, Even Start – Personnel Issue
4. John Baker, Attorney
5. Larry Denomie, CEO – Health Administrator Contract
6. Warren C. Swartz, Jr., President/Other

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 2:21 P.M. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

Break: 2:22 – 2:32 p.m.

Mike LaFernier left at 3:28 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 4:06 P.M. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

Promote Kelly Dowd and Nissa Morningstar to full time-

MOTION MADE BY JENNIFER MISEGAN TO PROMOTE KELLY DOWD AND NISSA MORNINGSTAR FROM PART-TIME TO FULL-TIME TEACHERS FOR THE PRE-PRIMARY PROGRAM. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

Promote Christine Awonohopay to full time-

MOTION MADE BY ELIZABETH D. MAYO TO PROMOTE CHRISTINE AWONOHOPAY FROM 29 HOURS TO 35 HOURS AND FULL-TIME STATUS FOR THE EVEN START PROGRAM. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

June 2008 Donations-

MOTION MADE BY TONI J. MINTON TO APPROVE THE FOLLOWING DONATIONS: THE AHMED SHRINER'S KB CLUB FOR BARAGA KIDS DAY FOR \$1000.00, THE NATIONAL TRIBAL CHILD SUPPORT ASSOCIATION FOR \$200.00, THE BAY CLIFF HEALTH CAMP FOR \$1000.00, UNITED TRIBES OF MICHIGAN FOR \$5000.00, LEIF FORCIA, SR. FOR STOCKCAR SPONSORSHIP FOR \$250.00 AND A CAMPAIGN CONTRIBUTION FOR BARACK OBAMA FOR \$1000.00. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), ONE OPPOSED (Jennifer Misegan), ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Appeal in Byykkonen Case-

MOTION MADE BY SUSAN J. LAFERNIER TO FILE AN APPEAL FOR THE DENIAL OF THE MOTION REGARDING THE BYYKKONEN CASE. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth "Chiz" Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Health Administrator Contract-

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE HEALTH ADMINISTRATOR CONTRACT WITH THE CHANGES, DELETE THE WORD PERCENT IN SECTION 2.2 AND DELETE LAPTOP IN 6.1 UNDER EQUIPMENT, EFFECTIVE JUNE 2, 2008. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. SIX IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth "Chiz" Matthews), THREE OPPOSED (Jennifer Misegan, Elizabeth D. Mayo, Fred Dakota), ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Elizabeth Mayo stated her opposition: She doesn't feel it should be a contracted position; it opens up the door for other directors to contract.

Jennifer Misegan stated her opposition: She feels the rate of pay is too low. People under her will be making more.

J. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 4:15 P.M. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary