

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – MARCH 7, 2009 – 9:00 A.M.

A. Date: March 7, 2009

B. Call to Order: President Swartz called the meeting to order at 9:09 a.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
Jerry Lee Curtis
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh
Absent: Fred Dakota

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: March 7, 2009

Additions:	New Business-	1. Add Jim Stingle, Grant Writer
		3. Jennifer Misegan – b) Keweenaw Bay Tribal Development Corporation
	FYI-	13. Susan LaFernier – BCMH Letter of Support
Deletions:	New Business-	2. Larry Denomie III, CEO – a) KBIC Personnel Policy Proposed Addition for On-Call Emergency Services
	Closed Session-	1. Carole LaPointe, Health Director - BC/BS Electronic Funds Transfer

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

G. For Your Information:

1. A “Thank you” from the family of Chelsey LaFerner
2. A “Thank you” from Diana Carlson and Family
3. A “Thank you” from Carole LaPointe
4. A “Thank you” from Elizabeth Nevala, Director of Services for The Salvation Army
5. A “Thank you” from Captain Deb Jolly, Corps Officer for The Salvation Army
6. A “Thank you” from Betsy Little, Marquette County Health Department
7. A copy of Strong Families/Safe Children Newsletter Pregnant and Parenting Teen Project Winter 2009
8. NCA Higher Learning Commission 2009 Annual Meeting Program Overview April 17-21 Chicago
9. A copy of the Gaming Commission Meeting Minutes from 01/27/09 and 02/10/09
10. A copy of a letter to Manistique Oil Company for information on pricing
11. NMU Native American Studies Grant Proposal for Mentoring Project for Tribal Youth
12. Committees Update – Terms expiring and seats available
13. A request from Baraga County Memorial Hospital for letter of support for a new hospital and a 12 bed expansion of Bayside Village Nursing Home

H. Approval of Meeting Minutes:

1. November 19, 2008

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NOVEMBER 19, 2008 MEETING MINUTES. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ONE ABSENT (Fred Dakota), MOTION CARRIED.

2. November 21, 2008

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NOVEMBER 21, 2008 MEETING MINUTES 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, Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ONE ABSENT (Fred Dakota), MOTION CARRIED.

I. President's Report/February 2009 – Verbal Report

President Swartz gave a verbal report, which is detailed in the Tribal Newsletter.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE FEBRUARY 2009 PRESIDENT'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

J. Vice-President's Report/February 2009 – available for your review

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE FEBRUARY 2009 VICE-PRESIDENT'S REPORT. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

K. CEO's Report/February 2009 – available for your review [Also available on ojibwa.com]

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE FEBRUARY 2009 CEO'S REPORT. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

L. Secretary's Report/February 2009 – available for your review

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE FEBRUARY 2009 SECRETARY'S REPORT. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

M. Treasurer's Report/February 2009 – available for your review

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE FEBRUARY 2009 TREASURER'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

N. Department Head Reports – January 2009

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE JANUARY 2009 DEPARTMENT HEAD REPORTS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Break: 10:26 – 10:35 a.m.

O. Recognize Scheduled Delegation/Individuals:

1. Pauline Spruce, Personnel/Robin Chosa, TERO/George Roman, Tribal Liaison from Census Bureau – 2010 Census

George Roman is seeking a resolution to partner and support the U.S. Census Bureau to help ensure a full and accurate count of Native Americans in 2010.

President Swartz stated that a letter of notification will be sent to George Roman stating Robin Chosa and Pauline Spruce as KBIC’s working partners with the Tribal Liaison from the census Bureau. The Tribe will also provide a resolution of approval after the March 12th Council meeting.

2. Don Carlson, Ojibwa Senior Citizens – Inter-Tribal Agreement for Gas and Other Tax Discounts with Tribal ID Card

Don would like to discuss several topics with the elders attending the upcoming MIEA conference in April such as, gas and cigarette discounts when visiting each other at powwows, etc. and attracting more campers. He will report back to the Council on their discussions and ideas to be considered for Council action.

P. New Business:

1. Todd Warner, NRD/Jim Stingle, Grant Writer [Not present] – Resolution KB-1652-2009 – ANA Environmental Regulatory Enhancement Program Grant for Wildlife and Habitat Inventory of the L’Anse Reservation for 3 years

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1652-2009 ANA GRANT FOR HABITAT MANAGEMENT INVENTORY. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, THREE ABSTAINING (Toni J. Minton, Jennifer Misegan, Elizabeth “Chiz” Matthews), ONE ABSENT (Fred Dakota), MOTION CARRIED.

2. Larry Denomie III, CEO – Oasis One Card Software Removal Agreement

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE ARISTOCRAT TECHNOLOGIES SETTLEMENT WITH THE OASIS VERSION 11 SYSTEM PURCHASE AND LICENSE AGREEMENT, PARTICULARLY WITH THE REMOVAL OF THE OASIS ONE-CARD MODULAR. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

3. Jennifer Misegan –

- a) Proposed Ordinance 2009-01 – Council Member, Jennifer Misegan, introduced the 1st Reading of the Title 28 Public Officials B. Ethics in Government Code. President Swartz reviewed the Legislative Process regarding the 1st Reading.

MOTION MADE BY JENNIFER MISEGAN TO WAIVE THE 1ST READING OF THE PROPOSED ORDINANCE 2009-01 DUE TO THE LENGTH. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Michael F. LaFernier, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Elizabeth Mayo stated that Tribal Courts and others should be included.

The 2nd Reading will be scheduled at a later date and it was suggested that a work session be held after the 2nd Reading comments.

- b) Keweenaw Bay Tribal Development Corporation – Jennifer would like to have the Tribal businesses run separate from the Tribal Council (Legislative Branch). She believes it is necessary in providing successful operations of the Tribal businesses. This was also discussed at a Finance meeting and she has a model from Lance Morgan (Ho-Chunks) to follow. It would help the Council to be more effective and efficient in Government functions. There is a 1985 Resolution/Charter for the corporation, but it needs to be examined and changes can be made.

President Swartz commented the Tribes that do separate are the ones that are most successful.

Q. Closed Session:

1. Larry Denomie, CEO

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 11:38 A.M. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:29 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

R. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 12:30 P.M. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary