

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – NOVEMBER 12, 2009 – 9:00 A.M.

- A. Date: November 12, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:12 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFerner, Vice President (left 10:38 – 11:28 a.m.)
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer (left 10:54 – 11:19 a.m., 1:07 – 2:17 p.m.)
Fred Dakota (left 10:02 – 11:43 a.m., left 1:28 – 1:45 p.m.)
Gary F. Loonsfoot, Sr. (left at 2:09 p.m.)
Elizabeth “Chiz” Matthews (left at 3:06 p.m.)
Elizabeth D. Mayo (left 3:06 – 3:30 p.m.)
Isabelle Helene Welsh
- Absent: Jerry Lee Curtis
Michael F. LaFerner, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 12, 2009
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| Additions: | Old Business- | 1. Gary Loonsfoot, Sr. – b) OHA Financials
4. Elizabeth Matthews – a) Government Christmas Party
b) Baraga/Marquette Seniors Christmas Parties |
| | Closed Session- | 6. Jennifer Misegan – a) Donation Request
b) Tobacco Update
c) 2% Update
d) Request for Deceased Member Christmas Check |
| Deletion: | Closed Session- | 2. Carole LaPointe – b) ASTHO Sub-Award Agreement |

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

G. Old Business:

1. Gary Loonsfoot, Sr., Ojibwa Housing Authority (OHA) Chairman –

- a) FEMA Trailer Buyers Update – OHA has denied Zena Huhta’s request for a wood stove.

Gary will get information from OHA regarding whether there are funds to help the three Tribal members who do not have electricity at their mobile homes.

- b) OHA Financials – The Council had expected the financials to be brought on Monday, November 9, 2009. Gary will check with OHA and have them by this afternoon.

MOTION MADE BY JENNIFER MISEGAN THAT THE COUNCIL RECEIVE MONTHLY FINANCIALS FROM EVERY ENTITY IN THE TRIBE STARTING FROM THIS DAY FORWARD. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Gary F. Loonsfoot, Sr.), ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

Break: 9:41 – 9:49 a.m.

2. Larry Denomie, CEO/Debbie Parrish, OCC President/Donald Funke, Board of Regents/Robin Chosa, Board of Regents/Hosh LaPointe, CFO/Dawn Richards, Controller/Julie Raby/Payroll – Ojibwa Community College Draft Memorandum of Agreement for FY10 – Review on PowerPoint

Fred Dakota left at 10:02 a.m.

Susan LaFernier left at 10:38 a.m.

Jennifer Misegan left at 10:54 a.m.

Break: 11:00 – 11:10 a.m.

Jennifer Misegan returned at 11:19 a.m.

Susan LaFernier returned at 11:28 a.m.

Fred Dakota returned at 11:43 a.m.

3. Elizabeth Matthews –

a) Government Employee Christmas Party

Chiz discussed the idea of having the Employee Christmas party at the OCC gym, as was suggested by the Party Planning Task Force because there would be more room.

MOTION MADE BY ELIZABETH D. MAYO THAT THE CHRISTMAS PARTY BE HELD AT THE BIG BUCKS BINGO HALL. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

b) Baraga/Marquette Seniors Christmas Parties

The Marquette seniors are requesting \$1600.00 for their Christmas party per letter from Patricia Brown. The Council would like the amount to be comparable with the seniors in Baraga County. Fred Dakota will work on a budget for the Ojibwa Seniors in Baraga.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO POSTPONE THE REQUEST FROM THE MARQUETTE SENIORS UNTIL THE COUNCIL RECEIVES MORE INFORMATION FROM THE BARAGA COUNTY SENIORS. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

H. New Business:

1. Larry Denomie, CEO – Government Employee Appeal of Termination Hearing Date #016-09

The hearing is scheduled for Thursday, November 19, 2009, at 1:00 p.m.

2. Sarah Smith, Assistant CEO – Bid (1) and Construction Agreement for Installation of New Hydrants and Replacement of Existing Hydrants in Zeba and Baraga

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE CONTRACT AND THE BID OF \$36,800.00 FROM MD CONTRACTING INC. FOR INSTALLATION OF NEW FIRE HYDRANTS AND REPLACEMENT OF EXISTING HYDRANTS. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

Lunch: 11:59 a.m. – 1:05 p.m.

[Return to Old Business]

4. Gregg Nominelli, Economic Developer/Donna Fredrickson - Comprehensive Plan Review
Review pages 19 – 27.

Jennifer Misegan left 1:07 – 2:17 p.m.

Fred Dakota left 1:28 – 1:45 p.m.

Gary Loonsfoot, Sr. left at 2:09 p.m.

Break: 2:21 – 2:36 p.m.

[Return to New Business]

3. Gregg Nominelli, Economic Developer – Resolution KB-1719-2009 WUPPDRC
Comprehensive Economic Development Strategy (CEDS) Application to the Economic
Development Administration for Planning Funds

The Council would like further clarification on the resolution and will postpone until Gregg returns with the information.

I. Closed Session:

1. Gregg Nominelli, Economic Developer – Draft Contract for Services/Agreement with the
Economic Development Corporation of Baraga County
2. Carole LaPointe, Health Administrator – Dale Schmeisser Professional Services Agreement
3. John Baker, Attorney
4. Larry Denomie III, CEO
5. Warren C. Swartz, Jr., President
6. Jennifer Misegan, Treasurer –
 - a) Donation Request
 - b) Tobacco Update
 - c) 2% Update
 - d) Request for Deceased Member Christmas Check

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 2:48 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Elizabeth Matthews left at 3:06 p.m.

Elizabeth Mayo left 3:06 – 3:30 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 5:00 P.M. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Dale Schmeisser Professional Services Agreement – WIC Program January – December 2010

MOTION MADE BY FRED DAKOTA TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH DALE SCHMEISSER FOR WIC SERVICES. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Mary Geroux Benefit -

MOTION MADE BY JENNIFER MISEGAN TO DONATE UP TO \$300.00 IN SUPPLIES FOR THE MARY GEROUX BENEFIT DINNER. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Letter of Credit Requirement for the Ojibwa Builders -

MOTION MADE BY JENNIFER MISEGAN TO REQUIRE THE OJIBWA BUILDERS TO SUPPLY A LETTER OF CREDIT FOR THE HEALTH CENTER PROJECT. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (William E. Emery), FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

J. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 5:02 P.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

5:00 p.m. - 2nd Reading - Proposed Amendment 2009-03 - To KBIC Hunting, Fishing, Trapping and Gathering Code Ordinance 2004-01 Title 10 Proposed Changes

Present: President Swartz, Susan LaFernier, Toni Minton, William Emery, Jennifer Misegan, Fred Dakota, Elizabeth Mayo, Isabelle Welsh, Todd Warner, and Peggy Minton.

President Swartz read the Legislative Process and Public Hearing Procedure and opened the floor to receive verbal and written comments.

No comments received.

President Swartz officially closed the 2nd Reading at 5:10 p.m.

Respectfully submitted,

Peggy Minton
Administrative Specialist