

KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
JULY 12, 2007 AT 9:00 A.M.

- A. Date: July 12, 2007
- B. Call to Order: President LaFerner called the meeting to order at 9:15 a.m.
- C. Invocation: The Lord's Prayer was recited and the Opening Prayer in Ojibwa
- D. Roll Call: Present: Susan J. LaFerner, President
 Warren C. Swartz, Jr., Vice-President
 Jennifer Misegan, Treasurer
 Larry J. Denomie III, CEO
 Jerry Lee Curtis
 William E. Emery
 Michael F. LaFerner, Sr. (Arrived at 1:10 p.m.)
 Elizabeth "Chiz" Matthews
Absent: Elizabeth D. Mayo
 Toni J. Minton, Secretary
 Gary F. Loonsfoot, Sr., Assistant Secretary
 Doreen G. Blaker
- E. Declaration of Quorum: President LaFerner declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: July 12, 2007

Additions:

For Your Information:

4. Jennifer Misegan – Government Audit
5. Susan LaFerner – Jonker Appointment Statement

Deletions:

New Business:

1. Jerry Lee Curtis – Bids for Water Well

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH CHANGES. SUPPORTED BY WARREN C. SWARTZ, JR. SEVEN IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, and Elizabeth D. Mayo). FOUR ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, and Michael F. LaFernier, Sr.). MOTION CARRIED.

G. For your Information:

1. Memo - GLIFWC Meeting on Tuesday, July 24, 2007 at 10:00 a.m. at Onamia, MN
2. A copy of Gaming Commission Meeting Minutes for June 5th, 12th, 19th, 22nd and July 3rd, 2007
3. Todd Warner – 2007 Jumbo River Brook Trout Stocking Locations
4. Jennifer Misegan – Government Audit
5. James A. Nye E-mail/Letter re: Robert Jonker’s appointment as Judge in the Western District Federal Court

H. Approval of Meeting Minutes:

1. June 2, 2007

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE MEETING MINUTES OF JUNE 2, 2007 WITH THE CHANGES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, and Elizabeth D. Mayo). FOUR ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, and Michael F. LaFernier, Sr.). MOTION CARRIED.

2. June 7, 2007

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE MEETING MINUTES OF JUNE 7, 2007 WITH THE CHANGES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, and Elizabeth “Chiz” Matthews). ONE OPPOSED (Elizabeth D. Mayo). FOUR ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, and Michael F. LaFernier, Sr.). MOTION CARRIED.

I. Old Business:

1. Debbie Picciano - Tribal Emergency Funding Revised Policies - Discussion

Debbie will have the new policy revisions for council’s review at the July 26, 2007 meeting.

BREAK: 10:15 a.m. to 10:25 a.m.
Larry left the meeting at 10:15 a.m.

2. Janice Halverson and Robin Chosa – Picnic Task Force

Janice Halverson and Robin Chosa gave the Tribal Council an update on the tribal employee picnic plans and asking for volunteers for the picnic festivities for grilling and the dunk tank. The Senior’s picnic is also on August 17, 2007.

Larry returned to the meeting at 11:45 a.m.
Elizabeth D. Mayo left the meeting at 11:53 a.m.

3. Todd Warner – Brownfield Consultant – proposal review and consultant selection
There were six bids for the Brownfield property assessments and clean-up.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE \$35,200.00 TO STS CONSULTANTS OF MARQUETTE, MI FOR BROWNFIELD PROPERTY ASSESMENT AND CLEAN-UP PER TODD WARNER’S RECOMMENDATION ON JULY 12, 2007. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, and Elizabeth “Chiz” Matthews). FIVE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, Michael F. LaFernier, Sr., and Elizabeth D. Mayo). MOTION CARRIED.

LUNCH: 12:05 p.m. to 1:10 p.m.
Michael F. LaFernier, Sr. arrived at 1:10 p.m.
Jennifer Misegan left the meeting at 1:15 p.m.
Elizabeth D. Mayo returned to the meeting at 1:25 p.m.

J. New Business:

1. Jason Ayres - Proposal to lease office space to FIA as they may be relocating because of budget cuts. The former offices of GLIFWC in the Ojibwa Industrial Park are available. It was suggested that our Anishinaabe Anokii Center could possibly transfer there.

MOTION MADE BY LARRY J. DENOMIE, III TO TABLE THE PROPOSAL TO LEASE PROPERTY TO THE MICHIGAN DEPARTMENT OF HUMAN SERVICES (DHS) UNTIL SATURDAY, JULY 14, 2007. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, and Elizabeth D. Mayo). FOUR ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, and Jennifer Misegan). MOTION CARRIED.

K. Closed Session:

1. Jason Ayres - Land Purchase Agreement
2. Assistant Tribal Attorney – Exit Interview
3. John Mantila – approval of 3-5-7 Poker for Baraga and Marquette
4. Todd Warner – Brownfield Sites to discuss
5. Susan LaFernier – Personnel Policies
6. Larry Denomie
7. Trish Gerard/John Baker

MOTION MADE BY LARRY J. DENOMIE, III TO GO INTO CLOSED SESSION AT 1:35 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Warren C. Swartz, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., and Elizabeth “Chiz” Matthews). ONE OPPOSED (Elizabeth D. Mayo). FOUR ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, and Jennifer Misegan). MOTION CARRIED.

Break: 3:58 p.m to 4:10 p.m.

Jennifer returned to meeting at 2:00 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 5:55 P.M. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth D. Mayo, and Elizabeth “Chiz” Matthews). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BROADCAST MUSIC, INC. RADIO’S STATION BLANKET/PER PROGRAM LICENSE EXTENSION AGREEMENT FOR BOTH RADIO STATIONS. SUPPORTED BY WARREN C. SWARTZ, JR. EIGHT IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, and Elizabeth D. Mayo). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SERVICES AGREEMENT WITH DPRA INCORPORATED. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Warren C. Swartz, Jr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, and Elizabeth D. Mayo). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

MOTION MADE BY WARREN C. SWARTZ, JR. TO DESIGNATE BETWEEN A 28 ACRE OF PROPERTY LOCATED WEST OF U.S. 41 AND NORTH OF POWER DAM ROAD, THE POWER DAM ROAD JUNK YARD, AS A BROWNFIELD SITE SO THAT THE NATURAL RESOURCES DEPARTMENT CAN MOVE FORWARD WITH ASSESSMENT WORK TO IDENTIFY THE SPECIFIC ENVIRONMENTAL PROBLEMS THAT MAY BE PRESENT. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Warren C. Swartz, Jr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews, and Elizabeth D. Mayo). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO FILE A RE-HEARING FOR THE JAMES BYYKKONEN CASE. SUPPORTED BY JERRY LEE CURTIS. FIVE IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, and Elizabeth "Chiz" Matthews). ONE OPPOSED (Warren C. Swartz, Jr.). TWO ABSTAINING (Michael F. LaFerner, Sr. and Elizabeth D. Mayo). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE 3-5-7 POKER AGREEMENTS FOR BARAGA AND MARQUETTE CASINOS AND TO REPLACE A BLACKJACK TABLE AT EACH PROPERTY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews, and Elizabeth D. Mayo). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

L. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN THE MEETING AT 6:00 P.M. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR (Warren C. Swartz, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews, and Elizabeth D. Mayo). THREE ABSENT (Toni J. Minton, Gary F. Loonsfoot, Sr., and Doreen G. Blaker). MOTION CARRIED.

Respectfully Submitted By:

Janice M. Halverson, Acting Recording Secretary

Date