

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**FINANCE/SPECIAL COUNCIL MEETING**  
**TRIBAL CENTER CONFERENCE ROOM**  
**THURSDAY – SEPTEMBER 10, 2009 – 9:00 A.M.**

- A. Date: September 10, 2009
- B. Call to Order: Vice President LaFernier called the meeting to order at 9:23 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Susan J. LaFernier, Vice President  
Toni J. Minton, Secretary  
William E. Emery, Assistant Secretary  
Jennifer Misegan, Treasurer (left 2:20 – 3:19 p.m.)  
Jerry Lee Curtis (arrived at 10:02 a.m.)  
Fred Dakota (arrived at 10:44 a.m., left 2:30 – 3:02 p.m.)  
Michael F. LaFernier, Sr. (arrived at 11:11 a.m., left at 11:49 a.m.)  
Gary F. Loonsfoot, Sr. (left 10:44 – 11:17 a.m., left at 2:41 p.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo (arrived at 1:47 p.m.)  
Isabelle Helene Welsh
- Absent: Warren C. Swartz, Jr., President
- E. Declaration of Quorum: Vice President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 10, 2009
- |            |                 |   |
|------------|-----------------|---|
| Deletion:  | Closed Session- | 1. Lynn Haataja, Interim GM – Budget Review<br>7. Larry Denomie III, CEO  |
| Additions: | FYI-            | 1. Susan LaFernier - Draft Press Release regarding Judge Patterson's decision on Eagle Rock   |
|            | Closed Session- | 3. Gregg Nominelli - d) Tribal Corporation Code   |
|            | New Business-   | 1. Francis LaPointe, CFO - Enterprise Budgets Discussion<br>1. Jason Ayres - d) Resolution KB-1711-2009<br>Connor/Miller Sale Residential Lease |
- Jennifer Misegan asked again to allow KBIC Members in Closed Session for the Budget Reviews.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

G. For Your Information:

1. Draft Press Release regarding Judge Patterson's decision on Eagle Rock

H. Approval of Meeting Minutes:

1. June 6, 2009

**MOTION MADE BY TONI J. MINTON TO APPROVE THE JUNE 6, 2009 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

I. Old Business:

1. Debbie Parrish, OCC – Accreditation Reports

Debbie will meet with our accounting personnel to set up generally accepted accounting principles, the separate bank account for payables and work on a long term MOA before the next visit, which will be in two years. The college (students) can also assist with the cemetery mapping. The Wood Shop Class could also rebuild the spirit houses over the graves and can purchase materials.

J. New Business:

1. Jason Ayres, Realty Officer –

**Jerry Lee Curtis arrived at 10:02 a.m.**

- a) Village of Baraga Utility Easement to upgrade their utility systems

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE REQUEST FROM THE VILLAGE OF BARAGA FOR THEIR ELECTRIC TRANSMISSION LINE REPLACEMENT PROJECT AND THE TRIBE RETAINS THE FOREST VALUE OF THE EASEMENT PROPERTY. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

- b) Resolution KB-1709-2009 Indian Reservation Roads (IRR) Cooperative Agreement FY2009 Baraga County Road Construction Projects with the Baraga County Road Commission and the B.I.A.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1709-2009 INDIAN RESERVATION ROADS (IRR) COOPERATIVE AGREEMENT FY2009 ROAD PROJECTS. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

- c) Resolution KB-1710-2009 Charles W. Gauthier Recreational Lease

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1710-2009 CHARLIE GAUTHIER RECREATIONAL LEASE. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

- d) Resolution KB-1711-2009 Cancels Daniel R. and Elizabeth H. Connor lease and grants Tanya M. Miller a Residential Lease (refers also to KB-1674-2009)

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1711-2009 CONNOR/MILLER SALE RESIDENTIAL LEASE. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

2. Susan LaFernier, Vice President – Letter of Request – Annual Christmas Bonus Benefits for Ontonagon County Members (26) from Kathleen F. Chapman. The Tobacco Ordinance 21B.604 was reviewed regarding net profits from the sale of tax free tobacco products by the community (members in Baraga and Marquette counties).

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO TABLE THE REQUEST UNTIL AFTER THE BUDGET REVIEWS. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

The Council will discuss having a referendum vote of the people at this year’s election to decide who should receive the Christmas Gift Check.

K. Closed Session:

1. Francis LaPointe, CFO - Enterprise Budgets Discussion [Open to KBIC Members]
2. Gerry Mantila, Cultural Committee Chair/Christoph Geiger, Attorney – Harlan Downwind Services Agreement
3. Gregg Nominelli, Economic Developer –
  - a) Budget Review [Open to KBIC Members]
  - b) Olympic Steel Lease
  - c) Comprehensive Economic Development Strategy of WUPPDR for Potential EDA Funding – Listing Projects
  - d) Tribal Corporation Code
4. Derek “Deve” Sever, Radio Station Manager –
  - a) Budget Review [Open to KBIC Members]
  - b) Birchfield Enterprises Contract – Tower Painting Project
5. Summer Cohen, TPHO – [Postponed]
  - a) Liz Julio Transcribing Services Agreement
  - b) Cindy Stiles Paraprofessional Training Contract
6. John Baker, Attorney

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 10:25 A.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

**Break: 10:26 a.m. – 10:44 a.m.**

**Fred Dakota arrived at 10:44 a.m.**

**Mike LaFernier, Sr. arrived at 11:11 a.m.**

**Gary Loonsfoot, Sr. returned from break at 11:17 a.m.**

**Mike LaFernier, Sr. left at 11:49 a.m.**

**Lunch: 12:40 – 1:47 p.m.**

**Elizabeth Mayo arrived at 1:47 p.m.**

**Jennifer Misegan left 2:20 – 3:19 p.m.**

**Fred Dakota left 2:30 – 3:02 p.m.**

**Gary Loonsfoot, Sr. left at 2:41 p.m.**

**Break: 3:03 – 3:13 p.m.**

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 4:40 P.M. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Kevin Birchfield Services Agreement – Prepare, paint, inspect, and re-lamp the radio station (KBIC) Guyed Tower on Paradise Road, Houghton, MI

**MOTION MADE BY FRED DAKOTA TO APPROVE THE SERVICES AGREEMENT WITH KEVIN BIRCHFIELD IN THE AMOUNT OF \$4,700.00. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Harlan Downwind Renewal Services Agreement – 3 years

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SERVICES AGREEMENT WITH HARLAN DOWNWIND FOR TRADITIONAL TEACHINGS, CEREMONIES AND HEALING. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Western Upper Peninsula Planning & Development Regional (WUPPDR) Economic Development Administration (CEDS) List – Serves as a model for the economic development of the Western U.P. Region for possible funding.

**MOTION MADE BY FRED DAKOTA TO APPROVE THE WUPPDR CEDS LIST AS PRESENTED. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Jennifer Misegan stated her opposition: She would have liked to have more information on the Baraga County Economic Development Office.

L. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:46 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist