

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – JANUARY 2, 2010 – 9:00 A.M.**

- A. Date: January 2, 2010
- B. Call to Order: President Swartz called the meeting to order at 9:02 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 (left at 10:03 a.m.)
Jerry Lee Curtis
Fred Dakota
Michael F. LaFERNIER, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: January 2, 2010

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA AS PRESENTED. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

- G. For Your Information:
1. A “Thank you” from Grace Zorza
 2. A “Thank you” from Tanya Sprawl, Title VII Program Director

3. A "Thank you" from the American Cancer Society
4. A "Thank you" from Loretta Hugo
5. A "Thank you" from Shirley Clisch
6. A "Thank you" from Mary Hindelang
7. A "Thank you" from Joyce Hebert
8. A "Thank you" from the Marquette County Women's Center
9. A "Thank you" from the MSHS Project Graduation 2010 Committee
10. A "Thank you" from Hazel Hulverson
11. A "Thank you" from Barbara Swartz
12. A "Thank you" from Barb Knipp
13. A "Thank you" from Diane Charron
14. A "Thank you" from Bay Cliff Health Camp
15. A "Thank you" from the Council on Environmental Quality, Executive Office of the President
16. A "Thank you" from Marine Toy for Tots Foundation
17. A "Thank you" from Captain Michael Thomas, State of Michigan Department of State Police Forensic Science Division
18. Notification of Approved Enrollment Applications December 2009 (4)

H. President's Report/December 2009 - available for your review

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

I. Vice President's Report/December 2009 – available for your review

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

J. Secretary's Report/December 2009 – available for your review

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

K. Treasurer's Report/December 2009 – Verbal Report

MOTION MADE BY FRED DAKOTA TO APPROVE THE DECEMBER 2009 TREASURER'S REPORT. SUPPORTED BY ISABELLE H. WELSH. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

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

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

M. Department Head Reports - November 2009

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

Mike LaFerner, Sr. stated his opposition: He is opposed because not everyone turned one in.

N. Old Business:

1. Larry Denomie III, CEO - Senior/Disabled Heating Cost Analysis November 2008 – June 2009

Elizabeth Mayo stated tribal members are requesting help with heating their FEMA trailers. Gary Loonsfoot, Sr. said Housing is looking into it. Jennifer Misegan stated a cap amount needs to be set for what the Council will pay for each home. Elizabeth Mayo asked for a timeline on this issue and if Housing had funds available for this and Gary said he would look into it.

Break: 10:03 – 10:14 a.m.

Jennifer Misegan left at 10:03 a.m.

O. New Business:

1. Diana Chaudier, Election Board Chair – Certification of the December 12, 2009 General Election Results. The total percentage of voter turnout was 73%. Eddy Edwards received 294 votes, Warren C. Swartz, Jr. received 273 votes, Susan J. LaFerner received 271 votes, and Jerry Lee Curtis received 229 votes. Bradley Dakota received 336 votes for Chief Judge.

MOTION MADE BY ELIZABETH D. MAYO TO CERTIFY THE GENERAL ELECTION RESULTS OF DECEMBER 12, 2009. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jennifer Misegan), MOTION CARRIED.

2. Swearing in of New Tribal Council Members – Warren C. Swartz, Jr., Susan J. LaFerner, Jerry Lee Curtis, Eddy Edwards

Secretary Toni Minton congratulated Chris, Susan, Jerry Lee and Eddy and administered the Oath of Office.

3. Swearing in of Tribal Chief Judge – Bradley Dakota

President Swartz congratulated Brad and administered the Oath of Office.

4. Reorganization: [All Executive Officers done by ballot vote]

- a) President -

William Emery nominated Warren “Chris” Swartz, Jr.
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, Chris Swartz closed the nominations.

Results: Chris Swartz - 9
Fred Dakota - 3

Warren “Chris” Swartz, Jr. is President.

- b) Vice President –

Gary Loonsfoot, Sr. nominated William Emery
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, President Swartz closed the nominations.

Results: William Emery - 9
Fred Dakota - 3

William Emery is Vice President

c) Secretary –

Jerry Lee Curtis nominated Susan LaFerner

Hearing no other nominations, President Swartz closed the nominations.

Susan LaFerner is Secretary

d) Assistant Secretary –

Jerry Lee Curtis nominated Elizabeth “Chiz” Matthews

Hearing no other nominations, President Swartz closed the nominations.

Elizabeth “Chiz” Matthews is Assistant Secretary

e) Treasurer –

Gary Loonsfoot, Sr. nominated Eddy Edwards

Elizabeth Mayo nominated Toni Minton – Toni declined

Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, President Swartz closed the nominations.

Results: Eddy Edwards - 9

Fred Dakota - 3

Eddy Edwards is Treasurer

5. Depository of Funds – Superior National Bank, Wells Fargo, Republic Bank

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE DEPOSITORY OF FUNDS FOR 2010 AS SUPERIOR NATIONAL BANK, WELLS FARGO AND REPUBLIC BANK. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (William E. Emery, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFerner), ABSENT - 0, MOTION CARRIED.

6. Check Signers – Eddy Edwards requested the CEO sign checks, as it is done at Housing.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE ONE EXECUTIVE COUNCIL OFFICIAL AND ONE OTHER COUNCIL MEMBER TO SIGN CHECKS. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), ONE OPPOSED (Eddy Edwards), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY JERRY LEE CURTIS TO KEEP THE TRIBAL COURT CHECK SIGNERS THE SAME. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE CHILD SUPPORT ENFORCEMENT PROGRAM CHECK SIGNERS THE SAME. SUPPORTED BY JERRY LEE CURTIS. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Ratification of President’s Execution of Defined Benefit Plan -

MOTION MADE BY FRED DAKOTA FOR RATIFICATION OF THE PRESIDENT’S EXECUTION OF THE DEFINED BENEFIT PLAN TAKING INTO ACCOUNT CHANGES IN FEDERAL LAW RELATING TO THE PLAN. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

7. William Emery – Donation Request 1431st Sapper Welcome Home Party for Returning Troops (4 Tribal members) March 6, 2010 at the L’Anse American Legion

MOTION MADE BY EDDY EDWARDS TO APPROVE THE REQUEST FOR \$750.00 FOR THE 1431ST SAPPER GROUP’S DINNER IN HONOR OF THE RETURNING TROOPS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

P. Closed Session:

1. Warren C. Swartz, Jr.

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 10:40 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (William E. Emery, Susan J. LaFernier, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Toni J. Minton, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 11:17 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Tribal Council as Interim Gaming Commission -

MOTION MADE BY FRED DAKOTA TO ADOPT A RESOLUTION TO MAKE THE TRIBAL COUNCIL THE GAMING COMMISSION ON AN INTERIM BASIS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Q. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 11:20 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (William E. Emery, Susan J. LaFerner, Elizabeth “Chiz” Matthews, Eddy Edwards, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo, Toni J. Minton, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist