

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
FRIDAY, JUNE 12, 2009 - 9:00 A.M.**

- A. Date: June 12, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:12 a.m.
- C. Invocation: Lord's Prayer and prayers for Paul Bykkonen's family.
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary (left 2:13 – 3:00 p.m.)
Jerry Lee Curtis (arrived at 9:32 a.m., left at 12:00 p.m.)
Fred Dakota
Michael F. LaFernier, Sr. (arrived at 10:30 a.m.)
Gary F. Loonsfoot, Sr. (left 9:55 a.m. – 1:25 p.m., left at 2:40 p.m.)
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 9:24 a.m.)
- Absent: Jennifer Misegan, Treasurer
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 12, 2009
- Additions: New Business- 2. Gregg Nominelli/President Swartz – SDS Priority List
- Approval of Meeting Minutes- J. 1. Susan LaFernier – May 8, 2006

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

G. For Your Information:

1. Marquette County Confirmation of Receipt - 2% Distribution
2. A copy of the Gaming Commission Meeting Minutes from 5/11/09 & 5/26/09
3. A "Thank you" from NIGC Philip N. Hogen, Chairman, for KBIC's Participation in the Government-to-Government Tribal Consultation held on May 19th in Prior Lake, MN
4. An Invite from Sonnenschein Nath & Rosenthal to a Reception Honoring Heather Thompson, who joined as a new partner, on June 15th in Niagara Falls, New York
5. Department of Health and Human Services to Host a Consultation on Health Care Reform and the Indian Health Care System on July 7th in Denver, CO

H. New Business:

1. Jim Stingle, Grant Writer
 - a) Revised Resolution KB-1652-2009 ANA Grant for Habitat Management Inventory

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE REVISED RESOLUTION KB-1652-2009 ANA GRANT FOR HABITAT MANAGEMENT INVENTORY. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.

Isabelle Welsh arrived at 9:24 a.m.

- b) Resolution KB-1688-2009 Department of Energy EECBG (Energy Efficiency and Conservation Block Grants) Application for \$68,900.00 for a Residential Project to reduce energy consumption and costs

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE RESOLUTION KB-1688-2009 DEPARTMENT OF ENERGY EECBG GRANT. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

- c) ICDBG Projects Prioritization

Jerry Lee Curtis arrived at 9:32 a.m.

Warren C. Swartz, Jr. suggested that the KBIC Government Grant Writers and the Ojibwa Housing Authority Grant Writers have a meeting, within the next two weeks to collaborate on grants and projects. A two million dollar grant was applied for by Housing that the Tribe may have applied for the new Child Care Center addition. He would like Susan J. LaFernier to attend and all interested Council members as well.

2. President Swartz – 2009 SDS (Sanitation Deficiency) Priority List Update. This list is updated by the I.H.S. Division of Sanitation Facilities Construction every year to document potential Sanitation Facilities projects that may be addressed further by future I.H.S. or E.P.A. grant funds

Gary Loonsfoot, Sr. left at 9:55 a.m.

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

I. Closed Session:

1. Radio General Manager Interviews (2)
2. Clayton Ekdahl, Special Projects - Department Head Update
3. Tyler Larson, Youth - Department Head Update
4. Philomena Ekdahl, Seniors - Department Head Update
5. Enterprise Employee Appeal of Termination Hearing for Case #012-09 [Reschedule]
6. Government Employee Appeal of Termination Hearing Case #013-09
7. John Baker, Attorney
8. Larry Denomie III, CEO
9. Warren C. Swartz, Jr., President - Tribal Member Requests KB-16-09 & KB-17-09

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 9:57 A.M. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Break: 9:58 – 10:08 a.m.

Mike LaFernier, Sr. arrived at 10:30 a.m.

Lunch: 12:00 – 1:06 p.m.

Jerry Lee Curtis left at 12:00 p.m.

Mike LaFernier, Sr. returned at 1:20 p.m.

Gary Loonsfoot, Sr. returned at 1:25 p.m.

Break: 1:48 – 1:57 p.m.

William Emery left the room 2:13 – 3:00 p.m.

Gary Loonsfoot, Sr. left at 2:40 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 3:19 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

J. Approval of Meeting Minutes:

1. May 8, 2006

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MAY 8, 2006 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Radio General Manager Position -

MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE RADIO GENERAL MANAGER POSITION TO DEREK SEVER. SUPPORTED BY ISABELLE H. WELSH. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Barbara Mantila Medical Travel Expense Request -

MOTION MADE BY ISABELLE H. WELSH TO APPROVE REQUEST #KB-16-09 BARBARA MANTILA DONATION OF UP TO \$300.00 FOR MEDICAL TRAVEL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Carole Koski Septic Repair Request -

MOTION MADE BY ISABELLE H. WELSH TO APPROVE REQUEST #KB-17-09 CAROLE KOSKI DONATION OF UP TO \$300.00 FOR SEPTIC REPAIR. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFERNIER, Sr.), THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Pines Convenience Center LED Sign -

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO PURCHASE THE LED SIGN FOR THE PINES GAS STATION FOR THE PRICE OF UP TO \$11,000.00. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Sale of the Front End Alignment Equipment -

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE SALE OF THE FRONT END ALIGNMENT MACHINE TO THE POLASKI HIGH SCHOOL IN THE AMOUNT OF \$32,577.28 AND THE TRIBE WILL COVER THE COSTS OF DELIVERY, SET UP AND TRAINING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Appeal of Government Employee Termination Case #013-09 -

MOTION MADE BY ELIZABETH D. MAYO TO UPHOLD THE CEO’S DECISION IN THE APPEAL OF TERMINATION CASE #013-09. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (William E. Emery), THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 3:30 P.M. SUPPORTED BY ISABELLE H. WELSH. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully Submitted By:

Janice M. Halverson, Acting Recording Secretary

Date