

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
TUESDAY – FEBRUARY 17, 2009 – 9:00 A.M.**

- A. Date: February 17, 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. LaFernier, Vice-President
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer
Jerry Lee Curtis
Gary F. Loonsfoot, Sr. (left 10:55 a.m. – 1:15 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (left 10:56 – 11:17 a.m.)
Isabelle Helene Welsh
- Absent: Fred Dakota
Michael F. LaFernier, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 17, 2009

Change: New Business- 1. Larry Denomie – Schedule Enterprise Employee Grievance Hearing

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

G. For Your Information:

1. Notification of Approved Enrollment Applications (20)

H. Approval of Meeting Minutes:

1. March 4, 2006

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE MARCH 4, 2006 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Jerry Lee Curtis, Isabelle H. Welsh), TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. November 8, 2008

MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER 8, 2008 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. November 12, 2008

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE NOVEMBER 12, 2008 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

I. New Business:

1. Larry Denomie III, CEO – Schedule Enterprise Employee Grievance Hearing Case #003-09

The hearing was scheduled for Friday, February 27th at 9:30 a.m.

President Swartz informed the Council that he would email the Climate Accord Draft to them, using the Tribal Center email because he does not want the information circulated on the up.net hard drive.

J. Closed Session:

1. **Government Grievance Hearing Case #001-09 – 10:00 a.m.**
2. **Appeal of Dismissal Hearing Case #002-09 – 11:00 a.m.**

3. John Baker, Attorney
4. Larry Denomie III, CEO

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 9:28 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

Break: 10:05 – 10:15 a.m.

Gary Loonsfoot, Sr. left at 10:55 a.m.

Break: 10:56 – 11:10 a.m.

Elizabeth Mayo left 10:56 – 11:17 a.m.

Break: 12:51 – 1:05 p.m.

Gary Loonsfoot, Sr. returned at 1:15 p.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 1:36 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

Government Grievance Hearing Case #001-09 -

MOTION MADE BY JENNIFER MISEGAN TO UPHOLD THE CEO’S DECISION IN GRIEVANCE HEARING CASE #001-09. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

Appeal of Dismissal Hearing Case #002-09 -

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO UPHOLD THE CEO’S DECISION IN APPEAL OF DISMISSAL HEARING CASE #002-09. SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Isabelle H. Welsh), ONE ABSTAINING (Gary F. Loonsfoot, Sr.), TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 1:41 P.M. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Fred Dakota, Michael F. LaFernier, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary