

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MAY 14, 2009 – 9:00 A.M.**

- A. Date: May 14, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Jennifer Misegan, Treasurer
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, Sr.
Elizabeth D. Mayo
Isabelle Helene Welsh
- Absent: Toni J. Minton, Secretary
William E. Emery, Assistant Secretary
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 14, 2009
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| Move: | Closed Session #5.- | 5. New Business |
| Addition: | Closed Session- | 5. Jennifer Misegan – Review 2% Requests |

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

G. For Your Information:

1. Overview of gallery exhibits, programs, special events and invitation from the Bonifas Arts Center Escanaba for Native American Artists in Michigan and Wisconsin
2. President Obama's Fiscal 2010 Budget

H. Approval of Meeting Minutes:

1. February 6, 2009

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FEBRUARY 6, 2009 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. FIVE IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Fred Dakota, Michael F. LaFerner, Sr.), FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), MOTION CARRIED.

2. February 7, 2009

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FEBRUARY 7, 2009 MEETING MINUTES. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), MOTION CARRIED.

3. February 17, 2009

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FEBRUARY 17, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. FIVE IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Fred Dakota, Michael F. LaFerner, Sr.), FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), MOTION CARRIED.

I. New Business:

1. David Osmak, BIA Forester – Resolution KB-1680-2009 10 year Forest Development Plan to continue projects and to access Forest Development funds. The Natural Resources Committee is meeting on May 20th to review the plan.

MOTION MADE BY ELIZABETH D. MAYO TO POSTPONE RESOLUTION KB-1680-2009 FOREST DEVELOPMENT PLAN UNTIL MAY 21ST UNTIL THE REVIEW PROCESS IS FINISHED. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO CHANGE THE CLEAR CUT OF 240 ACRES TO A SELECT CUT NEAR THE INDUSTRIAL PARK. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

2. Jason Ayres, Realty Officer – Resolution KB-1679-2009 Purchase Agreement Turpeinen Acquisition of 160 acres

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE RESOLUTION KB-1679-2009 THE TURPEINEN ACQUISITION FOR \$140,900.00 AND CLOSING COSTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Break: 10:05 – 10:21 a.m.

3. John Baker, Attorney – New Application - Baraga County Fire Department Liquor License for the Mud Drags May 30, 2009

MOTION MADE BY FRED DAKOTA TO APPROVE THE BARAGA COUNTY FIRE DEPARTMENT FOR A LIQUOR LICENSE AND TO WAIVE THE \$100.00 FEE. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

John Baker stated that he had no business for Closed Session.

4. Larry Denomie III, CEO – Tribal Center Vehicle Bids (3)

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE PURCHASE OF A 2009 TAURUS FOR \$19,500.00 FROM COPPER COUNTRY FORD. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

5. Warren C. Swartz, Jr., President – Tribal Member Request – Jodie Chosa #KB-15-09

MOTION MADE BY JERRY LEE CURTIS TO ADD DICKINSON COUNTY TO THE EMERGENCY FUNDING PROGRAM AND REVIEW ALL OF THE ASSISTANCE PROGRAMS AT A LATER DATE. SUPPORTED BY ELIZABETH D. MAYO. SIX IN FAVOR (Susan J. LaFerner, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

J. Closed Session:

1. Gregg Nominelli, Economic Developer –
 - a) Budget Modification
 - b) Olympic Lease Amendment Confirmation
2. Christoph Geiger, Attorney – Service Agreements
3. Larry Denomie III, CEO – Gaming Commissioners/Employees
4. Jennifer Misegan – Review 2% Requests

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:55 A.M. SUPPORTED BY JERRY LEE CURTIS. FIVE IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Lunch: 12:05 – 1:12 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 2:17 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Olympic Steel –

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE FIRST AMENDMENT TO THE LEASE AGREEMENT FOR OLYMPIC STEEL. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Ronda Dowd and Mindy Lantz Service Agreements – Alternative Massage Therapy Services

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICE AGREEMENTS BETWEEN THE COMMUNITY AND RHONDA DOWD AND MINDY LANTZ FOR THE KBIC SUBSTANCE ABUSE PROGRAM. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Economic Development Budget Modification – Consultant line item increase

MOTION MADE BY JERRY LEE CURTIS TO APPROVE THE BUDGET MODIFICATION OF THE ECONOMIC DEVELOPMENT PROGRAM FOR THE FEASIBILITY STUDY OF A GAS STATION AND STORE IN THE AMOUNT OF \$10,000.00. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 2:25 P.M. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist