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| Old Business-   | 2. b) Jennifer Misegan – OHA Financials Baraga/Marquette            |
|                 | 3. Susan LaFernier – Seniors Christmas Parties                      |
| New Business-   | 7. Todd Warner, NRD – Army Corps of Engineers Assistance            |
| Closed Session- | 5. Susan LaFernier/John Bussey – Temporary Help/Budget Modification |

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY WILLIAM E. EMERY. EIGHT 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), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Fred Dakota, Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.**

(Fred Dakota out of the room)

G. For Your Information:

1. Gaming Commission Meeting Minutes from 10/16/09
2. Update on Roberta Sheldon Request (from the 10/03/09 Motion)
3. Invite from LVD - Feast and Discussion on the preservation and protection of Cultural and Natural Resources within the vicinity of the proposed mine site by Orvana Mining Company - November 19<sup>th</sup>
4. Information on Orvana Mineral Corporation – Orvana completes 2009 Drill Program at the Copperwood Project in Michigan that provides initial copper and silver results and announces the hiring of key personnel.

H. Approval of Meeting Minutes:

1. June 22, 2009

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JUNE 22, 2009 MEETING MINUTES. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Jennifer Misegan), TWO ABSENT (Michael F. LaFernier, Sr., Isabelle H. Welsh), MOTION CARRIED.**

Isabelle Welsh arrived at 9:35 a.m.

2. June 25, 2009

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JUNE 25, 2009 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Isabelle H. Welsh), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

3. July 9, 2009

**MOTION MADE BY TONI J. MINTON TO APPROVE THE JULY 9, 2009 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.**

I. New Business:

1. Diana Chaudier, Election Board Chair – Approval of Registered Voters List

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE REGISTERED VOTERS LIST FOR L’ANSE, BARAGA AND MARQUETTE AS PRESENTED. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, TWO ABSTAINING (Susan J. LaFerner, Jennifer Misegan), ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.**

2. Jason Ayres, Realty Officer [Not present] – Resolution KB-1720-2009 Damien C. Swartz Recreational Lease 2<sup>nd</sup> cancels Recreational leases K-177(97) and K-178(97)

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1720-2009 DAMIEN SWARTZ RECREATIONAL LEASE. SUPPORTED BY FRED DAKOTA. 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.**

3. Fred Dakota – Baraga County Convention & Visitors Bureau Donation Request for Trail Grooming - They requested \$25–30,000.00.

**MOTION MADE BY JENNIFER MISEGAN TO GIVE THE BARAGA COUNTY CONVENTION AND VISITORS BUREAU A DONATION OF \$15,000.00 IN THE FORM OF FUEL FROM THE PINES GAS STATION FOR THE GROOMERS. SUPPORTED BY ELIZABETH D. MAYO. 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.**

Fred Dakota will get a pass thru letter from the Village of Baraga for \$10,000.00 for the groomers and it will be an advance for 2% distributions.

4. Susan LaFERNIER – Tom Darcy, Jr. Tribal Member Request House Down Payment in California

Susan stated that OHA's Revolving Loan fund is maxed out and their Down Payment Program is for the Baraga, Marquette, Ontonagon, Houghton Counties Service Area.

**MOTION MADE BY ELIZABETH D. MAYO TO DENY THE REQUEST FOR A HOUSE DOWN PAYMENT IN CALIFORNIA. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Susan J. LaFERNIER, 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

5. John Baker, Attorney – OHA/Ojibwa Plumbing & Heating (New) Business License Application

**MOTION MADE BY FRED DAKOTA TO APPROVE THE BUSINESS LICENSE OF OJIBWA HOUSING AUTHORITY DOING BUSINESS AS OJIBWA PLUMBING AND HEATING. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

Jennifer Misegan stated her abstention: She is concerned about the 401K non-discriminatory clause, OHA needs to offer a 401K plan for all of their employees.

Gary Loonsfoot, Sr. stated he will address this issue with OHA.

J. Closed Session:

1. Government Employee Appeal of Termination Hearing Case #016-09
2. John Baker, Attorney
3. Susan LaFERNIER, Vice President/John Bussey, Gaming Commission – Temporary Help/Budget Modification

**MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 10:08 A.M. SUPPORTED BY SUSAN J. LAFERNIER. 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.**

(Jennifer Misegan and Gary Loonsfoot, Sr. out of the room)

**Break: 10:09 – 10:19 a.m.**

**Jennifer Misegan left at 10:19 a.m.**

**Break: 11:01 – 11:16 a.m.**

**Lunch: 12:05 – 1:04 p.m.**

**Elizabeth Mayo returned from lunch at 1:30 p.m.**

**Break: 2:00 – 2:12 p.m. (Toys for Tots Picture)**

**Jennifer Misegan returned at 2:30 p.m.**

**Jerry Lee Curtis and Elizabeth Mayo left at 2:55 p.m.**

**Break: 2:55 – 3:18 p.m.**

**Elizabeth Mayo returned at 3:36 p.m.**

**Jerry Lee Curtis returned at 4:02 p.m.**

**President Swartz left at 4:13 p.m.**

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 4:24 P.M. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (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), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.**

6. Todd Warner, NRD/Sarah Smith, Assistant CEO – U.S. Army Corps of Engineers Assistance to the States Program from Senator Stabenow’s Office – 3 Options: Baraga Water Intake Planning Assistance Proposal, Deepwater Port Proposal, Kid’s Pond Proposal

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE ARMY CORPS OF ENGINEERS ASSISTANCE FOR THE BARAGA WATER INTAKE DESIGN PROPOSAL FOR \$90,000.00. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Fred Dakota), ONE ABSTAINING (William E. Emery), TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.**

**Gary Loonsfoot, Sr. left at 4:39 p.m.**

7. Jennifer Misegan, Treasurer –
  - a) Resolution KB-1721-2009 Baraga 2%
  - b) Resolution KB-1722-2009 Marquette 2%

**MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTIONS KB-1721-2009 AND KB-1722-2009 FOR THE BARAGA AND MARQUETTE 2% DISBURSEMENTS. SUPPORTED BY JERRY LEE CURTIS. 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.**

**William Emery left at 4:42 p.m.**

K. Old Business:

1. Larry Denomie III, CEO –
  - a) Community Assistance Program Help for Zelina Huhta Request

**MOTION MADE BY JENNIFER MISEGAN TO POSTPONE ZENA HUHTA’S REQUEST UNTIL SHE APPLIES FOR THE LIHEAP FUNDING. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

- b) Commercial Fee Schedule for Building Permits – Examples of projects and associated costs were reviewed

**MOTION MADE BY JENNIFER MISEGAN TO PAY THE BUILDING INSPECTOR \$176.00 FOR THE KWIK LUBE SERVICE CENTER AND TO WORK ON A FEE SCHEDULE FOR FUTURE INSPECTIONS AT THE NEXT MEETING. SUPPORTED BY JERRY LEE CURTIS. FIVE IN FAVOR (Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

2. Jennifer Misegan –
  - a) Ethics Code Review [Rescheduled]
  - b) OHA Financials – the balance sheets given to the Council were through August 31<sup>st</sup> and the sales/revenues were posted through September but not the expenses. The report needs to be clarified.
3. Susan LaFernier – Baraga/Marquette Senior Christmas Parties – Marquette is asking for \$1600.00. Fred Dakota was not able to get the estimates for the Baraga party.

**Jennifer Misegan left at 4:56 p.m.**

Government Employee Appeal of Termination Hearing Case #016-09 –

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO POSTPONE THE VOTE ON CASE #016-09 UNTIL THE NEXT MEETING ON DECEMBER 3, 2009 AND ALL THE COUNCIL MEMBERS THAT HEARD THE GRIEVANCE AND VOTED IN CLOSED ARE PRESENT. SUPPORTED BY JERRY LEE CURTIS. THREE IN FAVOR (Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), THREE OPPOSED (Toni J. Minton, Fred Dakota, Isabelle H. Welsh), ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., William E. Emery, Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), TIE VOTE. SUSAN J. LAFERNIER VOTED IN FAVOR, MOTION CARRIED.**

Gaming Commissioners Resignations Accepted –

**MOTION MADE BY TONI J. MINTON TO ACCEPT THE RESIGNATIONS OF GAMING COMMISSIONERS JAMES RASANEN, EFFECTIVE IMMEDIATELY AND DALE SHALIFOE EFFECTIVE JANUARY 1<sup>ST</sup> AND TO POST THE POSITIONS. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., William E. Emery, Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY FRED DAKOTA TO ADJOURN AT 5:17 P.M. SUPPORTED BY ISABELLE H. WELSH. SIX IN FAVOR (Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., William E. Emery, Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist