

**MINUTES  
 KEWEENAW BAY INDIAN COMMUNITY  
 SPECIAL COUNCIL MEETING  
 TRIBAL CENTER CONFERENCE ROOM  
 THURSDAY – JULY 17, 2008 –9:00 A.M.**

- A. Date: July 17, 2008
- B. Call to Order: President Swartz called the meeting to order at 9:05 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  
 Larry J. Denomie III, CEO  
 Jerry Lee Curtis  
 Michael F. LaFernier, Sr. (arrived at 9:11 a.m.)  
 Elizabeth “Chiz” Matthews  
 Elizabeth D. Mayo (left 11:35 a.m. – 1:15 p.m.)  
 Fred Dakota

Absent: Doreen G. Blaker

E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: July 17, 2008

- |            |                 |   |
|------------|-----------------|---|
| Deletions: | Minutes-        | 2. November 5, 2005   |
| Additions: | FYI-            | 3. DMS Training   |
|            | Minutes-        | 3. May 28, 2008   |
|            | New Business-   | 2. b) President Swartz – Donation Request to<br>Supreme Court Project |
|            |                 | 5. Larry Denomie/John Mantila - Hotel Pool Dehumidifier               |
|            |                 | 6. Larry Denomie – Reschedule August Meeting                          |
| Move:      | Closed Session- | 3. Drum Group Service Agreements to New Business 2.c)                 |

**MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING – 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

G. For Your Information:

1. A copy of the Gaming Commission Meeting Minutes for 06/03/08, 06/17/08 & 06/24/08
2. New Day Policies for Review - One New Addition, “Power Outage” and One Replacement, “Table Top Exercise on Emergency Procedures”
3. Diversified Management Services On-Site Training Offerings

**Mike LaFERNIER arrived at 9:11 a.m.**

H. Approval of Meeting Minutes:

1. April 10, 2008 Tape Review (Tabled on 07/12/08)

**Break: 9:40 – 9:52 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE APRIL 10, 2008 MEETING MINUTES, WITH THE CHANGES ON PAGE TWO. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth D. Mayo, Fred Dakota), TWO OPPOSED (Susan J. LaFERNIER, Elizabeth “Chiz” Matthews), ABSTAINING – 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.**

2. May 15, 2008

**MOTION MADE BY FRED DAKOTA TO APPROVE THE MAY 15, 2008 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.**

3. May 28, 2008

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE MAY 28, 2008 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, TWO ABSTAINING (William E. Emery, Jennifer Misegan), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.**

I. Old Business:

1. Schedule 2<sup>nd</sup> Readings –

- a) 2008-02 Tobacco Ordinance of 2008 – The Council scheduled the 2<sup>nd</sup> Reading for Monday, August 11, 2008, 6:00 p.m. at the Bingo Hall.
- b) 2008-03 Appellate Division of the Tribal Court – Modify Tribal Code – The Council scheduled the 2<sup>nd</sup> Reading for Thursday, July 31, 2008, at 5:00 p.m. in Council Chambers.

**MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE AUGUST 2, 2008 REGULAR MEETING TO AUGUST 16, 2008. SUPPORTED BY LARRY J. DENOMIE III. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.**

- 2. View Gung-Ho Video (20 Minutes) from Joe Constance, which was also presented at the Supervisory Skills Certification Program – The video presented goals, missions and values to improve production in the workplace.
- 3. Jerry Swartz/Francis LaPointe, CFO – Swartz Property Acquisition – Jerry Swartz requested the Tribe take the land as a gift, rather than purchase it, the Tribe would pay him a gift, and he would not receive a 1099 form and have to pay taxes. Francis LaPointe stated that a 1099 is not issued on a land sale, but he would receive one for a gift. This will be discussed with our attorney and Jerry will bring more information to Jason Ayres.

J. New Business:

1. Todd Warner, NRD –

- a) 6<sup>th</sup> Annual George E. Curtis Kid’s Fishing Derby Results – Over 200 kids participated and \$3000.00 worth of prizes and fishing gear was distributed.
- b) Spring Cleanup Results - \$13,500.00 was the total cost, not including the Village of Baraga vouchers. The Tribal Construction Company collected approximately 40 tons. The Council would like to do a fall cleanup as well.
- c) Upcoming Clean Sweep Event for Tribal members – August 16, 2008 at 8:30 a.m. to noon for the collection of household hazardous waste and used and unused pharmaceuticals.
- d) 2008 Jumbo River Brook Trout Stocking Plan – There are 43,000 jumbo river brook trout available for stocking at 8 creeks/streams/rivers.

**Elizabeth Mayo left at 11:35 a.m.**

2. Warren C. Swartz, Jr., President –

a) Donation Request for John Paul Decota

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE A DONATION OF \$1832.76 FOR JOHN PAUL DECOTA. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Elizabeth D. Mayo), MOTION CARRIED.**

b) Tribal (U.S.) Supreme Court Project Donation – Native American Rights Fund

**MOTION MADE BY FRED DAKOTA TO APPROVE A DONATION OF \$10,000.00 TO ASSIST NARF WITH THEIR BILLS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ONE ABSTAINED (Jennifer Misegan), TWO ABSENT (Doreen Blaker, Elizabeth D. Mayo), MOTION CARRIED.**

c) (2) Drum Groups Services Agreements for the July Powwow-

**MOTION MADE BY TONI J. MINTON TO APPROVE THE SERVICES AGREEMENTS BETWEEN KBIC AND THE FOUR THUNDERS AND BUFFALO HORSE DRUM GROUPS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Fred Dakota), ONE ABSTAINED (Jerry Lee Curtis), TWO ABSENT (Doreen Blaker, Elizabeth D. Mayo), MOTION CARRIED.**

**Lunch: 12:02 – 1:15 p.m.**

**Elizabeth Mayo returned at 1:15 p.m.**

3. Jason Ayres, Realty Officer –

a) Resolution KB-1622-2008 – Tanya Miller Residential Lease [This item was moved to another meeting]

[Return to Swartz Property Acquisition from Old Business item #3] - There is a \$10,500.00 survey fee requirement for two parcels that Jason Ayres is asking the Council to waive. This would give a title commitment with no exceptions. He received three quotes for the survey. He is also waiting for the environmental assessment to be completed.

**MOTION MADE BY ELIZABETH D. MAYO TO WAIVE THE SURVEY REQUIREMENT ON THE JERRY SWARTZ PROPERTY ACQUISITION PER JASON AYRES' RECOMMENDATION. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINED (Jerry Lee Curtis), ONE ABSENT (Doreen Blaker), MOTION CARRIED.**

- b) Request for donation to perform work at L'Anse Sports Complex. Jason is a member of the Sports Complex Board. They have a grant and the complex may be completed in 5 years.

**MOTION MADE BY FRED DAKOTA TO DONATE \$22,000.00 FOR THE L'ANSE SPORTS COMPLEX TO THE TRIBAL CONSTRUCTION COMPANY FOR INSTALLATION OF A WATERLINE. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, TWO ABSTAINED (Jennifer Misegan, Michael F. LaFernier, Sr.), ONE ABSENT (Doreen Blaker), MOTION CARRIED.**

- 4. John Baker [Not Present] – Business License Renewal for Stacey Koski - d/b/a Koski's World of Wheels

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE RENEWAL LICENSE FOR STACEY KOSKI DOING BUSINESS AS KOSKI'S WORLD OF WHEELS, PENDING VERIFICATION OF THE ADDRESS OF THE PLACE OF BUSINESS. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.**

**Break: 1:36 – 1:48 p.m.**

- 5. John Mantila, Casino Manager/Clay VanBuren, HVAC – Hotel Pool Dehumidifier – One bid was presented, two more bids will be brought back to the Council and a breakdown of costs at a future meeting.
- 6. Larry Denomie – August Meeting [There was a motion made on this issue under Old Business earlier in the day]

K. Closed Session:

1. Larry Denomie III, CEO

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 2:03 P.M. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Fred Dakota), ABSTAINED - 0, TWO ABSENT (Doreen Blaker, Elizabeth D. Mayo), MOTION CARRIED.**

(Elizabeth Mayo out of room)

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 2:33 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 2:34 P.M. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, TWO ABSENT (Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

(Jennifer Misegan out of room)

Respectfully submitted,

Peggy Minton  
Recording Secretary