

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
FINANCE/SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – NOVEMBER 6, 2008 –9:00 A.M.**

- A. Date: November 6, 2008
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord’s Prayer and a prayer for Christoph Geiger in MGH
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
William E. Emery, Assistant Secretary (left 9:50 – 10:25 a.m.)
Jennifer Misegan, Treasurer (left 9:45 a.m. – 1:38 p.m.)
Larry J. Denomie III, CEO (arrived at 9:12 a.m., left 1:55 – 2:30 p.m.)
Doreen G. Blaker (left 10:49 a.m. – 2:12 p.m., left at 2:45 p.m.)
Jerry Lee Curtis (left 11:55 a.m. – 1:16 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Fred Dakota (left at 2:12 p.m.)
- Absent: Toni J. Minton, Secretary
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: November 6, 2008
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| Additions: | New Business- | 3. a) Elizabeth Mayo – Christmas Checks for G.A. Recipients
b) Funeral Room
4. President Swartz – Tribal Member Letters of Request |
| Deletion: | New Business- | 1. d) Jason Ayres – Resolution KB-1640-2008 |

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Larry J. Denomie III, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

G. For Your Information:

Larry Denomie III arrived at 9:12 a.m.

1. Policies and Procedures for Pre-Primary Program for review

H. Old Business:

1. Diana Chaudier, Election Board Chair –

- a) Certification of the November 1, 2008 Primary Election Results – Twelve ran in the Baraga District and five ran in the L’Anse District. There were 614 eligible voters and 392 voted – 64%.

MOTION MADE BY FRED DAKOTA TO CERTIFY THE PRIMARY ELECTION RESULTS. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Larry J. Denomie III), TWO ABSENT (Toni J. Minton, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

- b) Review of the 2008 General Election Timeline for the December 13, 2008 Election – no action required.

I. New Business:

1. Jason Ayres, Realty Officer –

- a) Resolution KB-1636-2008 - Mary Wilson Acquisition for 8.25 acres on Brewery Road in L’Anse.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1636-2008 MARY WILSON ACQUISITION. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

- b) Resolution KB-1637-2008 – Donald Stolp Residential Lease Modification to cancel his previous lease approved on July 15, 2002 and issue a new lease that is consistent with the terms and conditions that are currently in use.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-1637-2008 DONALD STOLP LEASE MODIFICATION. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.

- c) Resolution KB-1639-2008 – Kyle Stein Residential Lease

MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-1639-2008 KYLE STEIN RESIDENTIAL LEASE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.

- d) Resolution KB-1642-2008 – Ronald Hueckstaedt Recreational Lease

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE RESOLUTION KB-1642-2008 RONALD HUECKSTAEDT RECREATIONAL LEASE. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.

- e) Resolution KB-1643-2008 – Kim Klopstein Recreational Lease

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE RESOLUTION KB-1643-2008 KIM KLOPSTEIN RECREATIONAL LEASE. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. Todd Warner, NRD – Power Dam Road Property Work Information (Brownfield Site Update)

[Not Present – Return to Later in the Day]

Break: 9:37 – 10:02 a.m.

Jennifer Misegan left at 9:45 a.m.

William Emery left at 9:50 a.m.

3. Elizabeth Mayo –

- a) Christmas Checks for G.A. Recipients – This will be brought back at the November 13, 2008 meeting, with Debra Picciano, to discuss options in preventing the recipients from being penalized for receiving the Christmas check.
- b) Funeral Room at the Senior Center – The floor is buckling and there is a dispute as to who is responsible for the repair. Sarah Smith stated there is a punch list that will be reviewed and the final payment can be held. A letter will be sent to Ojibwa Builders regarding the completion of the project and to review the punch list.

William Emery returned at 10:25 a.m.

The Council discussed questions over the use of the Funeral Room, whether it will be used strictly for Traditional Funerals or exactly who will be able to utilize it for funerals.

Gerry Mantila, Cultural Committee Chair stated that for the grant the Funeral Room was intended for the use of Traditional Funerals only. The Catholics and Methodists can be buried by their respective churches. Traditional funerals and drumming are not held at the Methodist Church. When the Cultural Committee tried to have a Traditional Funeral in the Community room at the Ojibwa Seniors Center, they were denied. The request from the Cultural Committee was for a Traditional Funeral room so there would be a place to hold Traditional funerals.

Elizabeth Mayo stated the room belongs to the Community and therefore any Community member should be allowed to utilize the room.

The Council will decide upon the use of the room and the President will oversee it. The President would make a decision on who will be able to use the room if there are two funerals at once. The room, however, will not be used as a sewing room.

Doreen Blaker left at 10:49 a.m.

MOTION MADE BY JERRY LEE CURTIS TO ALLOW THE CEREMONIAL FUNERAL ROOM AT THE KBIC OJIBWA SENIOR CENTER TO BE UNDER THE AUTHORITY OF THE KBIC TRIBAL PRESIDENT FROM THIS DAY FORWARD AND TO BE UTILIZED FOR EITHER TRADITIONAL FUNERALS OR WHAT THE FAMILY REQUESTS, REGARDLESS OF WHAT THEIR BELIEFS ARE. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

[Return to New Business #2]

Todd Warner, NRD – Power Dam Road Property Work Information (Brownfield Site Update) – Soil samples have been taken and the results should be received in the next couple of months.

J. Closed Session:

1. Todd Warner, NRD –
 - a) Former Pines Gas Station - Bids and Contractor Selection
 - b) Draper Lakeshore Brownfield Property – Bids and Contractor Selection
 - c) Baraga Village Spring Cleanup Invoice

MOTION MADE BY LARRY J. DENOMIE III TO GO INTO CLOSED SESSION AT 10:57 A.M. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (Susan J. LaFernier, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 11:35 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

[Return to New Business #4]

4. President Swartz – Tribal Member Letters of Request (2) – One member is requesting tires for her vehicle and another member is requesting assistance to obtain his driver’s license.

Emergency Funding Amendment to include Tires-

MOTION MADE BY LARRY J. DENOMIE III TO AMEND THE EMERGENCY FUNDING POLICY TO INCLUDE THE REPLACEMENT OF TIRES UP TO \$300.00 AND TO MEET THE REQUIREMENTS OF THE POLICY, EFFECTIVE OCTOBER 1, 2008. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

Discussion regarding the driver’s license request. No action taken until later into the meeting. (Fred Dakota and Elizabeth Mayo out of the room)

Lunch: 11:55 a.m. – 1:10 p.m.

(Absent after lunch break – Toni Minton, Jennifer Misegan, Doreen Blaker, Jerry Lee Curtis, and Mike LaFernier, Sr.)

Former Pines Gas Station - Bids and Contractor Selection

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE BID FROM U.P. ENGINEERS AND ARCHITECTS FOR \$8,800.00 FOR THE INSTALLATION OF AN ADDITIONAL MONITORING WELL AND THE DEVELOPMENT OF A CORRECTIVE ACTION PLAN AT THE FORMER PINES GAS STATION, OUT OF TRIBAL SUPPORT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FOUR IN FAVOR (Susan J. LaFERNIER, William E. Emery, Elizabeth “Chiz” Matthews, Fred Dakota), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Larry J. Denomie III), FIVE ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Draper Lakeshore Brownfield Property – Bids and Contractor Selection for Test Trenching

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE TRIBAL CONSTRUCTION COMPANY AS THE LOW BIDDER FOR CONDUCTING THE ENVIRONMENTAL INVESTIGATION WORK AT THE DRAPER LAKESHORE BROWNFIELD PROPERTY. SUPPORTED BY FRED DAKOTA. FIVE IN FAVOR (Susan J. LaFERNIER, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Larry J. Denomie III), FIVE ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Baraga Village Spring Cleanup Invoice -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE PAYMENT OF \$4,048.80 TO THE BARAGA VILLAGE FOR THE SPRING CLEANUP AND TO HAVE THE TRIBAL CHAIRMAN SIGN A LETTER TO THE VILLAGE MANAGER REGARDING THE MISUNDERSTANDING ON THE COSTS OF THE CLEANUP. SUPPORTED BY FRED DAKOTA. FIVE IN FAVOR (William E. Emery, Larry J. Denomie III, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), ONE OPPOSED (Susan J. LaFERNIER), ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

K. Closed Session:

2. Sarah Smith, CEO Assistant – UPEA Architect Contract/Approval of Design (deleted during the meeting)
3. Budget Reviews – Francis LaPointe/Sarah Smith/Dawn Richards Present
4. John Baker, Attorney

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 1:15 P.M. SUPPORTED BY SUSAN J. LAFERNIER. FOUR IN FAVOR (Susan J. LaFERNIER, William E. Emery, Larry J. Denomie III, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, FIVE ABSENT (Toni J. Minton, Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

Jerry Lee Curtis returned at 1:16 p.m.

Jennifer Misegan returned at 1:38 p.m.

Break: 1:55 – 2:12 p.m.

Doreen Blaker returned at 2:12 p.m.

Fred Dakota left at 2:12 p.m.

Larry Denomie left 1:55 – 2:30 p.m.

Doreen Blaker left at 2:45 p.m.

Break: 3:30 – 3:49 p.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 4:25 P.M. SUPPORTED BY LARRY J. DENOMIE III. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Michael F. LaFernier, Sr., Fred Dakota), MOTION CARRIED.

MOTION MADE BY JERRY LEE CURTIS TO TABLE THE LETTER OF HELEN FOSTER IN REGARDS TO THE TRIBAL MEMBER WHO IS REQUESTING HELP WITH HIS LICENSE RETURN, PENDING THE RETURN OF HIS CHILDREN AND THAT THE PARTIES INVOLVED SEEK OTHER FUNDING SOURCES. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Michael F. LaFernier, Sr., Fred Dakota), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 4:28 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Doreen G. Blaker, Michael F. LaFernier, Sr., Fred Dakota), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary