

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JANUARY 8, 2009 – 1:00 P.M.**

- A. Date: January 8, 2009
- B. Call to Order: President Swartz called the meeting to order at 1:10 p.m.
- C. Invocation: Lord’s Prayer and prayers for Amy St.Arnold for a speedy recovery while at MGH and Doreen Blaker who had foot surgery.
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary (left at 5:10 p.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Jerry Lee Curtis
Michael F. LaFernier, Sr. (arrived at 3:31 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (left at 4:54 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: January 8, 2009
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| Additions: | Old Business- | 2. President Swartz – Appointment to Farm Service Agency County Committee |
| | New Business- | 3. Replace Jennifer Misegan with Larry Denomie III |
| | Closed Session- | 4. President Swartz – Tribal Member Request
1. President Swartz – Update
5. Susan LaFernier – b) Grievance Question |

MOTION MADE BY TONI J. MINTON TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Susan J. LaFerner, 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. LaFerner, Sr.), MOTION CARRIED.

G. Approval of Meeting Minutes:

1. February 24, 2006

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE FEBRUARY 24, 2006 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Jerry Lee Curtis, Fred Dakota), TWO ABSENT (Doreen G. Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.

2. October 9, 2008

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE OCTOBER 9, 2008 MEETING MINUTES. SUPPORTED BY LARRY J. DENOMIE III. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), TWO ABSENT (Doreen G. Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.

3. October 29, 2008

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE OCTOBER 29, 2008 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, 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. LaFerner, Sr.), MOTION CARRIED.

H. Old Business:

1. Doreen Blaker – Beartown Firefighters MOU [Not Present]
2. President Swartz – Appointment to Farm Service Agency County Committee –

Roger Duschene is the current representative for the Tribe and would like to remain on the Committee. This is a one year appointment each year beginning March 1, 2009.

MOTION MADE BY JENNIFER MISEGAN TO APPOINT ROGER DUSCHENE TO THE FARM SERVICE AGENCY COUNTY COMMITTEE. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

I. New Business:

1. Kathy Mayo – Women’s Retreat Contract with MTU for use of Ford Center on January 16-17 for a total cost of \$2,050.00 from grant funds.

MOTION MADE BY TONI J. MINTON TO APPROVE THE WOMEN’S RETREAT CONTRACT WITH MTU. SUPPORTED BY LARRY J. DENOMIE III. 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.

2. President Swartz – Tribal Member Request – KB-01-09 – seeking assistance to move back to the Reservation from Wisconsin

MOTION MADE BY LARRY J. DENOMIE III TO DENY THE REQUEST OF THE TRIBAL MEMBER SEEKING HELP, REQUEST #KB-01-09. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth D. Mayo, Fred Dakota), TWO OPPOSED (Toni J. Minton, Elizabeth “Chiz” Matthews), ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO AMEND THE TRIBAL EMERGENCY FUND POLICY TO ALLOW \$300.00 FOR TRIBAL MEMBERS THAT ARE MOVING BACK TO THE RESERVATION, ONE TIME ONLY. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FIVE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), THREE OPPOSED (Larry J. Denomie III, Elizabeth D. Mayo, Fred Dakota), ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO AMEND THE PREVIOUS MOTION TO AMEND THE EMERGENCY FUND POLICY IS TO ALLOW TRIBAL MEMBERS WHO DO NOT LIVE IN THE CURRENT SERVICE AREA BE ALLOWED \$300.00 FOR MOVING EXPENSES TO COME BACK TO THE RESERVATION. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), THREE OPPOSED (Larry J. Denomie III, Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. Larry Denomie III, CEO/Jim Stingle, Grant Writer – ICDBG Grant Approval and Funding Sources for Early Childhood Education Expansion Project. January 12th is the deadline to accept or decline the grant. 3.2 million will be needed to complete the project.

MOTION MADE BY TONI J. MINTON TO ACCEPT THE ICDBG GRANT FOR THE EARLY CHILDHOOD EDUCATION EXPANSION PROJECT AND SEEK ADDITIONAL FUNDING. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.

4. Larry Denomie III, CEO – Tribal Senior Plow Request from Helen Tollefson. The Council will review the original motion from the 2001 – 2003 time period regarding snow plowing.

J. Closed Session:

1. Warren C. Swartz, Jr., President - Update
2. Larry Denomie III, CEO –
 - a) Tribal Member Emergency Funding Request
 - b) Richard Tuisku Extension Agreement to Employment Agreement
3. Susan LaFerner, Vice-President –
 - a) Charles Brumleve Mining Consultant/Independent Contractor Agreement
 - b) Grievance Question
4. OCC Board of Regents/Francis LaPointe/Mary Breslin (conference call) - M.O.A. Review - **3:00 p.m.**

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 2:17 P.M. SUPPORTED BY LARRY J. DENOMIE III. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, THREE ABSENT (Doreen G. Blaker, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.

(Elizabeth Matthews out of the room)

Break: 2:18 – 2:28 p.m.

Break: 3:08 – 3:20 p.m.

Mike LaFerner arrived at 3:31p.m.

Break: 3:48 – 3:58 p.m.

Elizabeth Mayo left at 4:54 p.m.

Gene Emery left at 5:10 p.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 5:25 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Charles Brumleve Mining Consultant/Independent Contractor Agreement

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE CHARLES BRUMLEVE’S INDEPENDENT CONTRACTOR AGREEMENT WITH THE COMMUNITY AS A MINING CONSULTANT. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Tribal Member Request #KB-02-09

MOTION MADE BY JENNIFER MISEGAN TO DENY TRIBAL MEMBER REQUEST CASE #KB-02-09 BASED ON THE EMERGENCY FUND POLICY. SUPPORTED BY TONI J. MINTON. THREE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan), FOUR OPPOSED (Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), ONE ABSTAINING (Larry J. Denomie III), THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION DEFEATED.

Tribal Member Request #KB-02-09

MOTION MADE BY FRED DAKOTA TO APPROVE THE TRIBAL MEMBER REQUEST #KB-02-09 IN THE AMOUNT OF \$531.07. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FOUR IN FAVOR (Susan J. LaFERNIER, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Fred Dakota), THREE OPPOSED (Toni J. Minton, Jennifer Misegan, Michael F. LaFERNIER, Sr.), ONE ABSTAINING (Larry J. Denomie III), THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Richard Tuisku (Dick Storm) Extension Agreement to Employment Agreement beginning January 1, 2009

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE EXTENSION AGREEMENT TO EMPLOYMENT AGREEMENT WITH RICHARD TUISKU “DICK STORM”. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Tribal Member Request #KB-03-09

MOTION MADE BY LARRY J. DENOMIE III NOT TO REVIEW CASE #KB-03-09 OF A FORMER OJIBWA BUILDING SUPPLY EMPLOYEE BASED ON THE FACT IT WAS REVIEWED BY THE OJIBWA HOUSING BOARD. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, TWO ABSTAINING (Jerry Lee Curtis, Michael F. LaFernier, Sr.), THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 5:34 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (William E. Emery, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

**6:00 p.m. - 2nd Reading of Proposed Mining Ordinance 2008-05 – Ojibwa Casino Resort
Conference Room [See Legislative File]**

Respectfully submitted,

Peggy Minton
Recording Secretary