

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – DECEMBER 10, 2009 – 9:00 A.M.

- A. Date: December 10, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:13 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
Jerry Lee Curtis (left at 10:38 a.m.)
Fred Dakota
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr. (arrived at 10:42 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 9:47 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: December 10, 2009
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| Deletion: | Old Business- | 1. Jennifer Misegan – 3 rd Reading - Amendments to Gaming Commission Proposed Ordinance 2009-04 and Gaming Regulatory Proposed Ordinance 2009-05 |
| Additions: | Old Business-
New Business- | 1. President Swartz – Chocolay Township Request
4. a) President Swartz – Superior Coaches Request on behalf of Arvon Township
b) United Tribes of Michigan Request
5. a) Jennifer Misegan – Tribal Member Request
b) Inmates in Jail – Help with GED/Diploma |

MOTION MADE BY MICHAEL F. LAFERNIER, SR. 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, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

G. For Your Information:

1. Four Feathers Consulting Jacksonville, Florida – An American Indian Owned – Woman Owned Corporation Specializing in Information Technology, Management, and Training Consulting

H. Approval of Meeting Minutes:

1. July 16, 2009

MOTION MADE BY FRED DAKOTA TO APPROVE THE JULY 16, 2009 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. July 17, 2009

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JULY 17, 2009 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Elizabeth “Chiz” Matthews), TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

I. Old Business:

1. President Swartz - Chocolay Township Request Bill Carlson, Negaunee Township Supervisor - Negaunee Township Request to Transfer 2% Money for the water line at the proposed airport casino to the General Fund in the amount of \$11,000.00 for Negaunee Reserve Projects

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE NEGAUNEE TOWNSHIP’S REQUEST TO UTILIZE 2% MONEY FOR PURCHASES. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), TWO OPPOSED (Susan J. LaFernier, Jennifer Misegan), ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

J. New Business:

1. President Swartz - Brenda Brunk Water Heater Request

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO PAY THE REMAINING BALANCE OF \$220.00 FOR BRENDA BRUNK’S HOT WATER HEATER. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), THREE OPPOSED (Susan J. LaFernier, Fred Dakota, Elizabeth D. Mayo), ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

Amend Emergency Fund to include Hot Water Heaters –

MOTION MADE BY FRED DAKOTA TO INCREASE THE EMERGENCY FUND FOR UP TO A MAXIMUM OF \$520.00 FOR HOT WATER HEATERS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

2. John Baker, Attorney – Business License Renewal Donald Messer, Jr./Jason Messer - Da Shack

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE RENEWAL LICENSE OF DA SHACK. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), MOTION CARRIED.

3. President Swartz –

- a) Superior Coaches Request on behalf of Arvon Township – a request was made to use the small school Bus. The Council denied the request as they have other needs for the bus.

Isabelle Welsh arrived at 9:47 a.m.

- b) United Tribes Request – A Ballot proposal is seeking 8 more casinos in Michigan 5 of the casino would be at horse racing tracks. The State Board of Canvassers approved the wording. United Tribes wants to do a poll before next years ballot.

MOTION MADE BY JENNIFER MISEGAN TO DONATE \$1,000.00 TO THE UNITED TRIBES OF MICHIGAN FOR THE RACINO ISSUE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.

4. Jason Ayres, Realty – Resolution KB-1723-2009 Daniel and Cherie Koski Residential Lease (cancels the prior lease)

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1723-2009 DANIEL KOSKI RESIDENTIAL LEASE. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.

5. Jennifer Misegan, Treasurer –

- a) Joanne Jaukkuri Request for Travel Money to meet with Lawyer

MOTION MADE BY FRED DAKOTA TO APPROVE A DONATION OF UP TO \$100.00 IN GAS FROM THE PINES TO JOANNE JAUKKURI TO MEET WITH HER LAWYER. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.

- b) Jail Inmates – Assistance with obtaining GED/Diploma

MOTION MADE BY JENNIFER MISEGAN TO DEVELOP TUTORING FOR JAIL INMATES TO FURTHER THEIR EDUCATION WHILE SERVING THEIR TIME TO HELP OBTAIN THEIR GED’S AND DIPLOMAS. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.

K. Closed Session:

1. John Baker, Attorney
2. Larry Denomie III, CEO

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:05 A.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Break: 10:06 – 10:20 a.m.

Jerry Lee Curtis left at 10:38 a.m.

Gary Loonsfoot, Sr. arrived at 10:42 a.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 11:10 A.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Northwest Petroleum Service Purchase and Installation Agreement -

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE PURCHASE AND INSTALLATION AGREEMENT WITH NORTHWEST PETROLEUM SERVICE IN THE AMOUNT OF \$226,198.88. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Millennium Services Independent Contractor Agreement – Charles Brumleve, Mining Consultant

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT WITH MILLENNIUM SERVICES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Jennifer Misegan), TWO ABSTAINING (Susan J. LaFerner, Gary F. Loonsfoot, Sr.), ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 11:14 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Jerry Lee Curtis), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist