

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – JANUARY 10, 2009 – 9:00 A.M.**

- A. Date: January 10, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:01 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFerner, Vice-President
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Doreen G. Blaker
Jerry Lee Curtis
Michael F. LaFerner, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Fred Dakota
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: January 10, 2009
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| Additions: | FYI-
New Business-
Closed Session- | 17. Jennifer Misegan - MSU Training
7. Elizabeth Mayo – CEO Position
2. President Swartz – Tribal Member Emergency Request |
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MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

G. For Your Information:

1. A letter from Carl Levin Congratulating the Tribe on the \$600,000 ICDBG Grant
2. A "Thank you" from Loretta Hugo
3. A "Thank you" from the NMU Center for Native American Studies
4. A "Thank you" from Dan, Denise and Emily Maki
5. A "Thank you" from the Michigan Tech University AISES
6. A "Thank you" from the family of Clyde Swartz
7. A "Thank you" from Grace Zorza
8. A "Thank you" from Don Carlson and Family
9. A "Thank you" from the Marquette Title VII
10. A "Thank you" from Bay Cliff
11. A "Thank you" from Forsyth Township 2% Funds
12. A "Thank you" from the family of Alex Haataja
13. A "Thank you" from Peggy Dunn for the Retirement Gift
14. An invitation to the retirement open house for Dr. George Cornell at the Kellogg Center
15. MSU Extension Tribal Governance Training Conference – February 4-5, 2009 Williamsburg, MI
16. A copy of the VOIGT Task Force Meeting Minutes from November 6, 2008
17. Susan LaFernier, Vice-President – A "Thank you" from Sheriff Michael Lovelace/UPSET 2% Donation. He also inquired if Council would like to do a photo shoot.

H. Approval of Meeting Minutes:

1. November 5, 2008

MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER 5, 2008 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, THREE ABSTAINING (Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr.), ABSENT - 0, MOTION CARRIED.

I. President's Report/December 2008 – Verbal Report

President Swartz discussed the Criminal Code Task Force, along with the President's office, and their continuing efforts to work with the Tribe's options in being in compliance with the requirements of the Adam Walsh Child Protection Safety Act. President Swartz attended a training session in Palm Springs, California. Another training session is planned for April 2009.

The Tribal Liaison for the Census Bureau is looking for Tribal Members who may be interested in working for the Census Bureau. The Liaison is willing to come to KBIC and have training sessions. President Swartz will have the TERO Office work with him.

The President's Office continues to work daily with the Members and their requests.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE DECEMBER 2008 PRESIDENT’S REPORT. SUPPORTED BY DOREEN G. BLAKER. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

J. Vice-President’s Report/December 2008 - available for your review

MOTION MADE BY TONI J. MINTON TO APPROVE THE DECEMBER 2008 VICE-PRESIDENT’S REPORT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

K. CEO’s Report/December 2008 - available for your review [Also available on ojibwa.com]

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE DECEMBER 2008 CEO’S REPORT. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

L. Secretary’s Report/December 2008 - available for your review

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE DECEMBER 2008 SECRETARY’S REPORT. SUPPORTED BY LARRY J. DENOMIE III. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

M. Treasurer’s Report/December 2008 - Verbal Report

Jennifer Misegan stated that this year’s budgets have been very difficult in these economic times. The Council must be careful to stay within the projected budgets.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE DECEMBER 2008 TREASURER’S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

N. Department Head Reports - November 2008

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE NOVEMBER 2008 DEPARTMENT HEAD REPORTS. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

O. New Business:

1. Mike Cardinal, Election Board Vice-Chairman – Certification of the December 13, 2008 General Election Results – The total percentage of voter turnout for the General Election 2008 was 74%. Elizabeth “Chiz” Matthews received 243 votes, William E. Emery received 238 votes, Isabelle H. Welsh received 243 votes and Gary Loonsfoot, Sr. received 236 votes.

MOTION MADE BY DOREEN G. BLAKER TO CERTIFY THE TRIBAL GENERAL ELECTION RESULTS OF 2008. SUPPORTED BY LARRY J. DENOMIE III. ALL IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

2. Recognize Doreen G. Blaker and Larry J. Denomie III – President Swartz presented Doreen and Larry with a gift from the Tribal Council and thanked them for their past six years of service to the Tribe. Doreen wished the Council good luck as well as the candidates coming in. She stated that her years on the Council were a great learning experience. Larry congratulated Isabelle and Gary and stated that he has been honored to serve on the Tribal Council and believes that both Isabelle and Gary can certainly serve the Community and wished them both good luck.

3. Swearing in of New Tribal Council Members –

William E. Emery, Elizabeth “Chiz” Matthews, Gary F. Loonsfoot, Sr., Isabelle H. Welsh

President Swartz congratulated William, Chiz, Gary and Isabelle and administered the Oath of Office.

4. Reorganization: [All Executive Officers done by ballot vote]

- a) President –

Toni Minton nominated Warren “Chris” Swartz, Jr.
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, Chris Swartz closed the nominations.

Results: Chris Swartz - 9
Fred Dakota - 3

Warren “Chris” Swartz, Jr. is President.

b) Vice-President –

Jennifer Misegan nominated Susan LaFernier
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, President Swartz closed the nominations.

Results: Susan LaFernier – 8
Fred Dakota - 3
One Abstention

Susan LaFernier is Vice-President.

c) Secretary

Susan LaFernier nominated Toni Minton
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, President Swartz closed the nominations.

Results: Toni Minton – 9
Fred Dakota - 2
One Abstention

Toni Minton is Secretary.

d) Assistant Secretary

Jennifer Misegan nominated William Emery
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, President Swartz closed the nominations.

Results: William Emery – 8
Fred Dakota - 3
One Abstention

William Emery is Assistant Secretary.

e) Treasurer

Toni Minton nominated Jennifer Misegan
Elizabeth Mayo nominated Fred Dakota

Hearing no other nominations, President Swartz closed the nominations.

Results: Jennifer Misegan – 9
Fred Dakota - 3

Jennifer Misegan is Treasurer.

5. Depository of Funds:

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE DEPOSITORY OF FUNDS FOR 2009 AS SUPERIOR NATIONAL BANK, WELLS FARGO AND M. BANK. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

6. Check Signers:

MOTION MADE BY WILLIAM E. EMERY TO APPROVE ONE MEMBER FROM THE EXECUTIVE BOARD AND A SECOND SIGNATURE FROM ONE COUNCIL MEMBER FOR SIGNING CHECKS. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Tribal Court and Child Support Office Check Signers-

MOTION MADE BY JENNIFER MISEGAN TO ADD THE CHIEF JUDGE, THE ASSOCIATE JUDGE AND THE CHIEF CLERK AS CHECK SIGNERS FOR THE TRIBAL COURT CHECKING AND SAVINGS ACCOUNTS AND TO ADD THE DIRECTOR AND THE CHILD SUPPORT SPECIALIST TO THE OFFICE OF CHILD SUPPORT SERVICES CHECKING ACCOUNT. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

7. Elizabeth Mayo – CEO Position – Elizabeth stated she reviewed the Economic Development Initiative that was discussed in November 2008 and the recommendations for the CEO is to have a Business Management Degree and experience in successful business operations. She would like to post the CEO position with those qualifications.

MOTION MADE BY ELIZABETH D. MAYO TO POST THE CEO POSITION WITH THE QUALIFICATIONS SHE LISTED. SUPPORTED BY FRED DAKOTA. THREE IN FAVOR (Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), EIGHT OPPOSED (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), ABSTAINING - 0, ABSENT - 0, MOTION DEFEATED.

President Swartz commented that Larry has been doing a very good job as CEO and the Council should support him. He stated that the Council has been hollering for years to have a Tribal Member in that position, now we finally have one. Elizabeth responded that there are three businesses closed down, but she doesn't want to make that an issue, but she is putting it out there for Council to consider. Jennifer stated that the CEO position is a very difficult position to fill and Larry stepped up when the Council needed someone and has done a very good job. It would be very difficult to go backwards. Experience is also very important. Susan added that the position takes many years to learn the policies and the many different rules and you still don't know everything.

MOTION MADE BY JENNIFER MISEGAN TO APPOINT LARRY J. DENOMIE III AS CEO. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ONE ABSTAINING (Isabelle H. Welsh), ABSENT - 0, MOTION CARRIED.

P. Closed Session:

1. President Swartz – Tribal Member Emergency Request

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 10:12 A.M. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Break: 10:13 – 10:20 a.m.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 10:34 A.M. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Donation Request #KB-04-09 Debbie Parrish

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE EMERGENCY REQUEST FOR A BOILER FURNACE CASE #KB-04-09 FOR \$2,500.00. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Jennifer Misegan stated her opposition: She is concerned that there won't be enough funds to pay for additional requests that will come.

Q. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 10:36 A.M. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary