

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – OCTOBER 3, 2009 – 10:00 A.M.**

- A. Date: October 3, 2009
- B. Call to Order: President Swartz called the meeting to order at 10:04 a.m.
- C. Invocation: The 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
Fred Dakota
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (left at 12:08 p.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 3, 2009
- | | | |
|------------|--|---|
| Additions: | Recognized Scheduled Delegation-
New Business-

Closed Session- | 2. Debra Parrish, OCC – Accreditation Update
3. d) Jennifer Misegan – Council’s Relationship
with the Ojibwa Housing Authority
3. a) President Swartz – Juvenile Request |
| Deletion: | Closed Session- | 2. Larry Denomie III, CEO |

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. 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.

G. For Your Information:

1. A "Thank you" from Annette Emery
2. A "Thank you" from Mackinaw Island Women's Retreat Attendees
3. A "Thank you" from Liz Nevala, Ishpeming Salvation Army
4. A "Thank you" from Keepers of the Water, Yellow Dog Summer and Students Against Sulfide Mining
5. A "Thank you" from Congressman Dale Kildee
6. A "Thank you" and Certificate of Appreciation from Lois Arnold, Special Olympics Michigan
7. An Invite from the Democratic Congressional Campaign Committee Palm Springs, CA October 11, 2009
8. A "Thank you" from Lori Muhlig, MTU Native American Outreach Coordinator
9. MTU 14th Annual Native American Events – Speaker's Forum October 22nd and Spirit of the Harvest Powwow October 24th, 2009

President Swartz recognized Violet Friisvall Ayres who was in attendance with her History of Federal Indian policy class. The class is here to observe Tribal Government at work.

H. President's Report/September 2009 - Verbal Report

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE SEPTEMBER 2009 PRESIDENT'S REPORT. 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.

I. Vice President's Report/September 2009 – available for your review

MOTION MADE BY TONI J. MINTON TO APPROVE THE SEPTEMBER 2009 VICE-PRESIDENT'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. 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.

J. Secretary's Report/September 2009 – available for your review

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE THE SEPTEMBER 2009 SECRETARY'S REPORT. SUPPORTED BY SUSAN J. LAFERNIER. 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.

K. Treasurer's Report/September 2009 – Verbal Report

MOTION MADE BY TONI J. MINTON TO APPROVE THE SEPTEMBER 2009 TREASURER'S REPORT. 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.

L. CEO's Report/September 2009 – available for your review [Also available on ojibwa.com]

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SEPTEMBER 2009 CEO'S REPORT. SUPPORTED BY JERRY LEE CURTIS. 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.

Break: 11:01 – 11:14 a.m.

M. Department Head Reports/August 2009

MOTION MADE BY TONI J. MINTON TO APPROVE THE AUGUST 2009 DEPARTMENT HEAD REPORTS. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Michael F. LaFerner, Sr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

N. Recognize Scheduled Delegation/Individuals:

1. Pat Brown –

a) Marquette Seniors' Christmas Party – December 5th at 2:00 p.m. – Community Center

Pat requested \$328.00 (it was the amount she returned last year) for the party in addition to the \$1500.00 that was given last year. Jennifer Misegan reminded the Council that the amount should be equal per senior in Marquette and Baraga Counties and will be reviewed.

Pat and her daughter Carrie Ashbrook would also like to organize the Halloween Party for the Marquette Youth.

b) Summer Youth Program – Marquette youth

Pat would like to know why there weren't any kids participating in Marquette this year. Larry Denomie responded that Jodene Rasanen, Summer Youth Coordinator, attempted to find entities in Marquette willing to take youth workers. She could not find anyone to supervise the kids. Pat is willing to take the kids under her supervision.

c) Christmas Checks – Request for a raise in the amount

Jennifer Misegan stated that under the Tobacco Ordinance the profits from the tobacco sales are going towards the Christmas checks and the Council is anticipating an increase.

2. Debra Parrish, OCC President – Accreditation Update

The review committee of the Higher Learning Commission concurred with the visiting Evaluation Team and is recommending OCC for initial candidacy status. There is one more step in this process, next it will go before the Board of Trustees for the Higher Learning Commission and they will be meeting this month. When they send an official letter, OCC will have their official notification and be able to move forward with plans for additional funding. They will apply for the BIA funding, and submit the resolution from the Tribal Council to conduct a feasibility study for the college. They will also be making applications for funds through HUD, they will also seek assistance from the American Indian Higher Education Consortium for the Department of Education and Department of Defense funding. They also need to revise the Tribal Council resolution for the Broadband Technology Opportunity Application Program for a 1.9 million expansion to the college. These are federal funds that will be approved next month and submitted to Senator Levin's office and he will move forward on their behalf. Debbie has also notified the local universities that the transfer credit agreements will be updated with Northern, Finlandia and Michigan Tech. They are also working on their video conferencing system to hold interactive classes. An MOA draft to the Tribal Council, CEO's office, Tribal Chairman's office and Accounting Department was submitted for review.

The college is working on mapping with the THPO office for the Pinery Cemetery. They will be able to rebuild the spirit houses and crosses at the Cemetery.

The college will be in candidacy status four years before full accreditation.

Debbie has submitted a request for membership with AHIC. She plans to add additional programs such as a business program and Native American Studies program.

O. New Business:

1. Diana Chaudier, Election Board Chair – Approval of 2009 Primary Election Candidates

Baraga District - (9) Warren C. Swartz, Jr., Jerry Lee Curtis, Robin Chosa, John Davis, Gary A. Mayo, Debbie Parrish, Sandra Pittsley, Donny Shalifoe, Sr., Debi Williamson

L'Anse District - (10) Susan J. LaFernier, Jennifer Misegan, Colleen DeRoche, Joseph A. Dowd, Eddy Michael Edwards, Monica Emery-Kohn, Rose "Missy" Picard, Joanne Racette, Evelyn Ravindran, James Welsh

Chief Judge - Bradley Dakota and Paul Smith

The Election Board recommends approval of all candidates with the exception of John Davis, Baraga District, due to residency qualifications because he was not living in his district for a period of one year prior to the primary election date.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE CANDIDATES AS LISTED IN THE BARAGA AND L'ANSE DISTRICTS, WITH THE EXCEPTION OF JOHN DAVIS. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, THREE ABSTAINING (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis), ABSENT - 0, MOTION CARRIED.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE KBIC REGISTERED VOTERS LIST. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, THREE ABSTAINING (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis), ABSENT - 0, MOTION CARRIED.

Diana read the deadlines and election workers for Marquette and homebound voting. An additional (2) workers for the election is needed and is posted. The primary election results will be announced at each district polling site.

2. Jerry Lee Curtis – Deer Tag (4) Request from NMU, April Lindala, Director Native American Student Association (NASA) for the 9th Annual 1st Nations Food Taster and the annual March Powwow

MOTION MADE BY JENNIFER MISEGAN TO APPROVE FOUR DEER TAGS FOR THE NATIVE AMERICAN STUDENT ASSOCIATION, TWO FOR THE 1ST NATIONS FOOD TASTER AND TWO FOR THE ANNUAL POWWOW. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. 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.

3. Jennifer Misegan, Treasurer – [Corrected the ordinance numbers, incorrect on the agenda]
 - a) 1st Reading Introduction - Amendments to Gaming Regulatory Proposed Ordinance 2009-04
 - b) 1st Reading Introduction - Amendments to Gaming Commission Proposed Ordinance 2009-05

MOTION MADE BY JENNIFER MISEGAN TO INTRODUCE THE PROPOSED AMENDMENTS OF ORDINANCES 2009-04 AND 2009-05 AND TO HAVE AN INFORMAL REVIEW WITH THE COUNCIL AND THE GAMING COMMISSION AND TO WAIVE THE 1ST READING FOR BOTH ORDINANCES. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Jennifer Misegan will recommend a date for the 2nd Reading within 30 days.

- c) Donation Request from Lori Muhlig, MTU Native American Outreach Coordinator, \$8,000.00 14th Annual Spirit of the Harvest Powwow October 24th

MOTION MADE BY JENNIFER MISEGAN TO APPROVE AN \$8,000.00 DONATION FOR THE MICHIGAN TECH NATIVE AMERICAN OUTREACH REQUEST FOR THE POWWOW AND GUEST SPEAKER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

- d) Council’s Relationship with the Ojibwa Housing Authority

Jennifer would like to meet with the Ojibwa Housing Authority and discuss the problems that they are having and possibly have a mediator present.

Gary would like a list provided to the OHA Board of the issues to be discussed and feels it is a full Council issue.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO TABLE THIS DISCUSSION UNTIL THE COUNCIL CAN MEET WITH THE OHA BOARD SO THEY CAN BE PRESENT AND HAVE THE PRESIDENT SET A MEETING DATE. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), SIX OPPOSED (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION DEFEATED.

MOTION MADE BY JENNIFER MISEGAN TO SET A DATE TO MEET WITH THE OHA BOARD TO DISCUSS THE PROBLEMS THAT WE ARE CURRENTLY HAVING AND TO DEFINE THE ROLES AND RESPONSIBILITIES OF EACH ENTITY AND HAVE THE PRESIDENT SET A DATE FOR THIS MEETING. SUPPORTED BY FRED DAKOTA. 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.

4. President Swartz –

- a) Cheryl Bogda Request for Tree Removal at her residence for \$550.00

Due to the life-risk factor for the people (children) living there, the President has taken care of this request.

- b) Smithsonian National Museum of the American Indian Washington, D.C. - Request for KBIC Flag for display during National Native American Heritage Day/Month of November

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE REQUEST OF A KBIC FLAG TO THE SMITHSONIAN MUSEUM. SUPPORTED BY SUSAN J. LAFERNIER. 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.

P. Closed Session:

1. Jerry Lee Curtis - Substance Abuse Request #001-09
2. Warren C. Swartz, Jr., President - Juvenile Request

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 12:05 P.M. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, 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: 12:06 – 12:14 p.m.

Isabelle Welsh left at 12:08 p.m.

MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 12:24 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

Roberta Sheldon Septic System Request – Balance due to Bianco Plumbing and Heating, Inc.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SEPTIC SYSTEM FOR ROBERTA SHELDON PENDING ANY FUNDING FROM THE DOMESTIC VIOLENCE GRANT AND INDIAN HEALTH SERVICES. 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., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

Treatment Transportation for Referrals from New Day -

MOTION MADE BY ELIZABETH D. MAYO TO ALLOW THE CHAIRMAN TO APPROVE REQUESTS FOR TRANSPORTATION COSTS FOR TREATMENT TO THOSE WHO ARE REFERRED OUT BY OUR PROGRAM, PROVIDING A ONE-WAY TICKET AND UPON COMPLETION, A RETURN TICKET, AND EXPENSES TO BE PAID FROM DONATIONS. SUPPORTED BY JENNIFER MISEGAN. TEN 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), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

Q. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 12:27 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (William E. Emery), ABSTAINING - 0, ONE ABSENT (Isabelle H. Welsh), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist