

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JANUARY 24, 2008 – 9:00 A.M.**

- A. Date: January 24, 2008
- B. Call to Order: President LaFernier called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer and prayers for everyone who is ill and in the hospital and Christian Mleko, who is being transported to Ann Arbor.
- D. Roll Call: Present: Susan J. LaFernier, President
Warren C. Swartz, Jr., Vice-President (left 5:30 – 5:42 p.m. and 5:50 p.m.)
Toni J. Minton, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary (left at 2:38 p.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Doreen G. Blaker (arrived at 10:53 a.m.)
Jerry Lee Curtis (arrived at 9:18 a.m.)
William E. Emery
Michael F. LaFernier, Sr. (arrived at 9:44 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (arrived at 9:21 a.m.)
- E. Declaration of Quorum: President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: January 24, 2008
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| Additions: | FYI- | 2. Jim Ekdahl Retirement
3. '08 Training Handbook – Public Law 93-638 |
| | Old Business- | 1. Debbie Parrish – a) Budget Update
b) Financial Request |
| Deletion: | New Business- | 3. Cherie Dakota – Interim Billing |

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, William E. Emery, Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING – 0, FOUR ABSENT (Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Jerry Lee Curtis arrived at 9:18 a.m.

G. For Your Information:

1. A copy of the Gaming Commission Meeting Minutes for 12/11/07 & 12/18/07
2. Jim Ekdahl Retirement after 33 years with the DNR – Dinner at NMU Feb. 9th - 5:00 p.m.
3. '08 Training Handbook – Public Law 93-638 Contract Training Courses presented by the BIA

Elizabeth Mayo arrived at 9:21 a.m.

Larry Denomie handed out copies of the Impact Aid handout that was on the 01/10/08 Agenda that was not received in Council’s packets.

H. Approval of Meeting Minutes:

1. November 16, 2007

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE NOVEMBER 16, 2007 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING – 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

2. November 21, 2007

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE NOVEMBER 21, 2007 MEETING MINUTES UNTIL THE TAPE IS REVIEWED. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING – 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

3. September 8, 2005

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SEPTEMBER 8, 2005 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, William E. Emery, Elizabeth D. Mayo), OPPOSED – 0, TWO ABSTAINING (Jerry Lee Curtis, Elizabeth “Chiz” Matthews), TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

4. September 16, 2005

MOTION MADE BY TONI J. MINTON TO APPROVE THE SEPTEMBER 16, 2005 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, William E. Emery, Elizabeth D. Mayo), OPPOSED – 0, TWO ABSTAINING (Jerry Lee Curtis, Elizabeth “Chiz” Matthews), TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

Mike LaFernier arrived at 9:44 a.m.

I. Old Business:

1. Debbie Parrish, OCC President – a) Budget Update – Debbie stated that she has reduced some salaries and increased some staff on hours, added committee stipends, and a \$20,000.00 contingency line item.

Susan LaFernier said there is more to discuss later in the day.

- b) Financial Request – Debbie had an emergency request for her daughter, Sharon Geroux and grandchildren in the amount of \$1600.00 for the travel expenses they incurred during Rick Geroux’s emergency surgery.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$1600.00 ASSISTANCE FOR SHARON GEROUX AND FAMILY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINED (Jennifer Misegan), ONE ABSENT (Doreen Blaker), MOTION CARRIED.

J. New Business:

1. Gerry Cadeau – Baraga/Marquette Casinos – Slot Machine Removal & Install Williams Games

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE PARTICIPATION GAME REMOVAL AND INSTALLS FOR THE BARAGA AND MARQUETTE PROPERTIES, REMOVING EIGHT WILLIAMS GAMES FROM BARAGA AND EIGHT WILLIAMS GAMES FROM MARQUETTE AND INSTALLING THE SAME NUMBER AT EACH LOCATION. SUPPORTED BY WARREN C. SWARTZ, JR. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

2. John Baker, Attorney – New Business License (Liquor) - Jeff Lamson, Maple View Clubhouse

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE JEFF LAMSON’S MAPLE VIEW CLUBHOUSE LIQUOR LICENSE. SUPPORTED BY MICHAEL F. LAFERNIER, SR.

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE REQUEST UNTIL THE APPLICATION HAS BEEN DRAWN UP TO INCLUDE ALL OF THE QUALIFICATIONS LISTED IN THE TRIBAL CODE. SUPPORTED BY WARREN C. SWARTZ, JR. FIVE IN FAVOR (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), THREE OPPOSED (William E. Emery, Michael F. LaFernier, Sr., Elizabeth D. Mayo), TWO ABSTAINED (Toni J. Minton, Larry J. Denomie III), ONE ABSENT (Doreen Blaker), MOTION CARRIED.

Chris Swartz stated that he is not opposed to issuing the license, he just wants the application to be drawn up and completed.

John Baker will return with a new application form within 30 days.

Break: 10:37 – 10:53 a.m.

Doreen Blaker arrived at 10:53 a.m.

3. Todd Warner, NRD – a) Solid Waste Management Plan – Todd asked the Council if they would prefer compactor stations in Zeba and the Industrial Park as previously discussed or a transfer station for waste. Being that the Tribe does not have an Economic Developer, Todd will look into both. Todd asked the Council if the Tribe will do their own spring cleanup or do they want to go with the Village of Baraga. The consensus was to go with the Village. He is also working on a Community “clean sweep” event with the Lake Superior Watershed Partnership for household hazardous waste collection for tribal members. Todd also gave the Council a copy of the October 2007 “Directory of Waste Disposal options” Brochure.

b) Hatchery Space – Todd presented current available options and a comparison of costs. He preferred a used trailer or TCC’s option.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE TRIBAL CONSTRUCTION’S BID OF \$23,229.00 FOR THE PEAK ROOF BUILDING FOR HATCHERY SPACE AS PRESENTED BY TODD WARNER. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Doreen Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, THREE ABSTAINED (Warren C. Swartz, Jr., Larry J. Denomie III, Michael F. LaFernier, Sr.), ABSENT – 0, MOTION CARRIED.

K. Closed Session:

1. Todd Warner, NRD – Potential Brownfield Sites
2. Joe Spruce – Back Pay Request
3. Jerry Lee Curtis – Intra-Departmental Promotion
4. Jennifer Misegan – Donations
5. Larry Denomie, CEO
6. Susan LaFernier, President
7. John Baker, Attorney

MOTION MADE BY WARREN C. SWARTZ, JR. TO GO INTO CLOSED SESSION FOR THE ITEMS LISTED AT 11:32 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINED - 0, ABSENT - 0, MOTION CARRIED.

Lunch: 12:50 – 1:45 p.m.

Gary Loonsfoot left at 2:38 p.m.

Break: 3:12 – 3:25 p.m.

Chris Swartz left 5:30 – 5:42 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 5:50 P.M. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINED - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Chris Swartz left at 5:50 p.m.

January Donations-

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FOLLOWING DONATIONS: \$200.00 FOR SPONSORSHIP OF THE U.P. FOOTBALL ALL-STAR GAME PROGRAM, \$250.00 FOR THE CHUCKY KANTOLA FUND, \$300.00 FOR ROBERT VOAKES, JR. AND JOSLYN HAATAJA FOR THEIR INTERNATIONAL CLUB TRIP TO ITALY, \$926.06 FOR THE KBIC YOUTH FOR THE STAND STRENGTH TEAM, AND \$30.00 FOR THE L'ANSE SCHOOL YOUTH IN GOVERNMENT. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINED - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., William E. Emery), MOTION CARRIED.

(Gene Emery out of room)

MOTION MADE BY TONI J. MINTON TO APPROVE THE MINUTES OF NOVEMBER 21, 2007. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINED - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., William E. Emery), MOTION CARRIED.

(Gene Emery out of room)

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE SPECIAL COUNSEL CONTRACT BETWEEN KBIC AND NORDHUAS LAW FIRM. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINED - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE AN IN-HOUSE PROMOTION FOR CHAD SELDEN TO A FULL-TIME UNIT MANAGER. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, William E. Emery, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINED (Jerry Lee Curtis), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO PAY JOE SPRUCE \$6,293.76 TO COMPENSATE HIM FOR THE TIME THAT HE WAS A K-9 HANDLER FOR THE TRIBAL POLICE THROUGH PAYROLL. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth "Chiz" Matthews), TWO OPPOSED (Doreen Blaker, Elizabeth D. Mayo), ABSTAINED - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 6:00 P.M. SUPPORTED BY TONI J. MINTON. TWO IN FAVOR (Toni J. Minton, Jennifer Misegan), FIVE OPPOSED (Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), TWO ABSTAINED (William E. Emery, Michael F. LaFernier, Sr.), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION DEFEATED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE OCC BUDGET AS PRESENTED. SUPPORTED BY WILLIAM E. EMERY.

THE MOTION WAS RESCINDED.

MOTION MADE BY DOREEN G. BLAKER TO MOVE FORWARD WITH OCC ACCREDITATION AND WORK ON A FUNDING AGREEMENT WITH THE BOARD OF REGENTS WITHIN 30 DAYS. SUPPORTED BY LARRY J. DENOMIE III. SEVEN IN FAVOR (Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), TWO OPPOSED (Toni J. Minton, Jennifer Misegan), ABSTAINED – 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 6:05 P.M. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINED - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary