

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
FRIDAY – FEBRUARY 22, 2008 – 9:00 A.M.**

- A. Date: February 22, 2008
- B. Call to Order: President Swartz called the meeting to order at 9:03 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
Larry J. Denomie III, CEO
Doreen G. Blaker
Jerry Lee Curtis
Michael F. LaFernier, Sr. (arrived at 9:18 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Fred Dakota (left 9:35 – 10:27 a.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: February 22, 2008
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| Addition: | New Business- | 1. c) Debbie Parrish - Letter of Support/Action Plan |
| Deletion: | Closed Session- | G. 1. Warren C. Swartz, Jr.- 9:00 a.m. Presentation |

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ABSTAINING – 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

G. For Your Information:

1. A copy of the VOIGT Task Force Meeting Minutes from January 10, 2008 held at Lac Vieux Desert
2. A copy of the Gaming Commission Meeting Minutes for 01/08/08, 01/16/08 & 01/29/08
3. A letter of support for the Laird Township grant request for playground equipment
4. GTECH acquisition of Atronic Americas LLC Letter from Bruce & Trachok
5. A copy of the approved Marquette Health & Hardship Fund

H. Approval of Meeting Minutes:

1. December 20, 2007

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE DECEMBER 20, 2007 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ABSTAINING – 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

2. January 5, 2008

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE JANUARY 5, 2008 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ABSTAINING – 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Mike LaFernier arrived at 9:18 a.m.

I. Old Business:

1. Debbie Williamson – ANA Grant Resolution KB-1602-2008. This is for a 3-year grant beginning September 2008 up to \$200,000.00 maximum under Category III Native Language Project Implementation with a 20% in-kind match. The deadline to apply is March 12th.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1602-2008. 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.

2. Warren C. Swartz, Jr., President – Petition – President Swartz stated that the objective is to determine whether the petition has sufficient merit to proceed.

Larry Denomie stated that the wording of the petition, in what they're asking for, cannot be done.

MOTION MADE BY LARRY J. DENOMIE III TO NOT MOVE FORWARD WITH THE PETITION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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 D. Mayo, Fred Dakota), ONE OPPOSED (Elizabeth "Chiz" Matthews), ABSTAINING – 0, ABSENT - 0, MOTION CARRIED.

J. New Business:

1. Debbie Parrish, OCC President – a) CDA Advisor Reimbursement Request from Mary DeLine

Mary is requesting the Tribe to pay for the advising she provided to two employees of the Pre-Primary Program. Larry will obtain more information from Lisa Denomie, Pre-Primary Program Director, to find out if it can be paid out of her budget.

Fred Dakota left at 9:35 a.m.

- b) Update with the Higher Learning Commission, Service Agreement, Action Plan
Mary Breslin would like to have the visit moved from September to November or December as the PIF will be sent to a consultant for review. She also recommended that OCC draft the funding agreement.

- c) Letter of Support for OCC Financial Assistance for \$150,000.00

MOTION MADE BY TONI J. MINTON TO APPROVE A LETTER OF SUPPORT IN APPLYING FOR FINANCIAL ASSISTANCE FROM THE SHAKOPEE TRIBE FOR A STUDENT SERVICES PROGRAM. SUPPORTED BY LARRY J. DENOMIE III. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINED - 0, ONE ABSENT (Fred Dakota), MOTION CARRIED.

2. Cheryl Pilato (see letter) – Donation Request for assistance due to Rick Geroux's hospitalization in January.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE \$200.00 FOR CHERYL PILATO'S DONATION REQUEST. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Fred Dakota), MOTION CARRIED.

Break: 9:54 – 10:10 a.m.

3. Sarah Smith, Assistant CEO/Eddy Edwards (not present) – Ojibwa Seniors Building Renovation and Expansion Budget Modification and Change Order. There have been 5 change orders so far. She requested \$53,701.00 additional over the contingency amount for change orders 6 & 7. The completion date is now May 15th.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE CHANGE ORDER #6 AND #7 IN THE AMOUNT OF \$53,701.00. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINING (Michael F. LaFerner, Sr.), ONE ABSENT (Fred Dakota), MOTION CARRIED.

Fred Dakota arrived at 10:27 a.m.

K. Closed Session:

1. **1:00 p.m. – Grievance Hearing - Case # 002-08**
2. Ed Janisse, Radio – Vanilla Gorilla Productions Contract
3. Larry Denomie, CEO – a) Review of Economic Developer Applications
b) OCC Funding Agreement Review
c) Emergency Funding Request
4. Cherie Dakota, Health Director – Tribal Health Fund Budget (She will attend another meeting)
5. Toni Minton, Secretary
6. Jennifer Misegan, Treasurer – Donations
7. John Baker, Attorney

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 10:22 A.M. SUPPORTED BY TONI J. MINTON. NINE 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), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Lunch: 11:50 a.m. – 1:03 p.m.

Break: 3:07 – 3:19 p.m.

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 4:00 P.M. SUPPORTED BY WILLIAM E. EMERY. 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.

Donations for February 2008-

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FOLLOWING DONATIONS FOR FEBRUARY: \$300.00 FOR THE STUDENT WRITER'S ORGANIZATION OF KBOCC, \$500.00 TO THE LAIRD TOWNSHIP GOVERNMENT FOR PLAYGROUND EQUIPMENT, \$250.00 FOR THE BROWNIE TROOP #400, \$500.00 FOR THE BARAGA ATHLETIC BOOSTER CLUB ELEMENTARY BASKETBALL TOURNAMENT, \$1000.00 CAMPAIGN DONATION FOR PALLONE FOR CONGRESS AND A \$500.00 SPONSORSHIP FOR THE NATIONAL INDIAN COUNCIL ON AGING ANNUAL CONVENTION. 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 Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ABSENT - 0, MOTION CARRIED.

Vanilla Gorilla Performance Agreements-

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE VANILLA GORILLA PERFORMANCE AGREEMENTS WITH WCUP IN THE AMOUNT OF \$1900.00 AND WGLI IN THE AMOUNT OF \$1600.00 AND TO HAVE THE PRESIDENT SIGN THE AGREEMENTS. SUPPORTED BY ELIZABETH D. MAYO. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), ABSENT - 0, MOTION CARRIED.

President's Salary-

MOTION MADE BY ELIZABETH D. MAYO TO SET THE PRESIDENT'S SALARY AT \$28.00 PER HOUR WITH FULL BENEFITS. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINED (Susan J. LaFernier), ABSENT - 0, MOTION CARRIED.

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO RESCIND THE PROHIBITION OF WEAPONS MOTION MADE ON FEBRUARY 7TH, 2008 BUT TO CONTINUE WITH THE POLICY REVISION. SUPPORTED BY JERRY LEE CURTIS. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ABSENT - 0, MOTION CARRIED.

Grievance Hearing Case #002-08-

MOTION MADE BY JERRY LEE CURTIS TO REINSTATE THE EMPLOYEE IN CASE #002-08 TO HIS FORMER POSITION PENDING THE SUCCESSFUL COMPLETION WITH HIS THERAPIST AND EAP. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ONE ABSTAINED (Larry J. Denomie III), ABSENT - 0, MOTION CARRIED.

L. Adjournment:

MOTION MADE BY DOREEN G. BLAKER TO ADJOURN AT 4:08 P.M. SUPPORTED BY FRED DAKOTA. 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.

Respectfully submitted,

Janice Halverson
Acting Recording Secretary