

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – SEPTEMBER 6, 2008 – 9:00 A.M.**

- A. Date: September 6, 2008
- B. Call to Order: President Swartz called the meeting to order at 9:05 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.
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: September 6, 2008

Addition: Old Business- 1. Toni Minton – Schedule 3rd Reading of Election Ordinance

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

(Doreen Blaker out of room)

G. For Your Information:

1. A “Thank you” from Diane Charron
2. A “Thank you” from Joslyn Haataja
3. A “Thank you” from Senator Barack Obama
4. Indian Gaming Regulatory Act Conference – October 16-17, 2008 Scottsdale, AR
5. A letter and application from the USDA – seeking applicants to fill 6 position for the Recreation Resource Advisory Committee regarding improving recreation opportunities in our national forests

H. Approval of Meeting Minutes:

1. November 29, 2005

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NOVEMBER 29, 2005 MEETING MINUTES. SUPPORTED BY LARRY J. DENOMIE III. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, TWO ABSTAINING (Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ABSENT - 0, MOTION CARRIED.

2. July 8, 2008

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JULY 8, 2008 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Doreen G. Blaker), ABSENT – 0, MOTION CARRIED.

I. President’s Report/August 2008 – Oral Report

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AUGUST 2008 PRESIDENT’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.

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

MOTION MADE BY TONI J. MINTON TO APPROVE THE AUGUST 2008 VICE-PRESIDENT’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.

K. CEO's Report/August 2008 – available for your review
Sarah Smith, Assistant CEO - July/August 2008 Report

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AUGUST 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/August 2008– available for your review

MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO APPROVE THE AUGUST 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/July-August 2008 – Oral Report and handout "An Introduction to Fiduciary Responsibilities for Tribal Council members"

MOTION MADE BY FRED DAKOTA TO APPROVE THE JULY 2008 AND AUGUST 2008 TREASURER'S REPORT. 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.

N. Department Head Reports - July 2008

MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE JULY 2008 DEPARTMENT HEAD REPORTS. SUPPORTED BY JERRY LEE CURTIS. 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. Old Business:

1. Toni Minton, Secretary – Schedule 3rd Reading of Election Ordinance. The ordinance needs to be approved by September 21, 2008. There was discussion regarding majority vs. plurality.

MOTION MADE BY JENNIFER MISEGAN TO SET THE 3RD READING FOR SEPTEMBER 11, 2008, THURSDAY, AT 1:00 P.M. 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.

Break: 9:55 – 10:05 a.m.

P. New Business:

1. Tim Shanahan, Anokii Center - Resolution KB-1629-2008 – Request for Carry Over Funds/No Cost Extension – ANA Grant to continue the small business development center and complete activities in the Objective Work Plan

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1629-2008 CARRY OVER FUNDS WITH NO COST EXTENSION ON THE ANA GRANT. 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.

2. Susan LaFernier, Vice-President - 3rd Reading Substitute Proposed Ordinance 2008-03 Title One Composition of Appellate Court and Appellate Procedures

Susan reviewed the changes in the Substitute Proposed Ordinance. The ordinance will also be sent to the Bureau of Indian Affairs for approval.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE PROPOSED ORDINANCE 2008-03, THIS IS TO AMEND AND RESTATE THE PROPOSED ORDINANCE THAT WAS PRESENTED AT THE 1ST READING, TITLE 1 AND TO PROVIDE A COMPLETE SUBSTITUTE. SUPPORTED BY JENNIFER MISEGAN. 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), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), ABSENT - 0, MOTION CARRIED.

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE PROPOSED ORDINANCE 2008-03 FOR THE PURPOSE OF AMENDING TITLE ONE OF THE TRIBAL CODE. 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, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), ABSENT - 0, MOTION CARRIED.

Q. Closed Session:

1. Gaming Commission John Bussey/Michael Duschene – Gaming Issues
2. Jennifer Misegan, Treasurer – Donation Update
3. John Baker, Attorney
4. Warren C. Swartz, Jr., President
5. Larry Denomie, CEO

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 10:15 A.M. SUPPORTED BY WILLIAM E. EMERY. 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.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 11:52 A.M. SUPPORTED BY ELIZABETH D. MAYO. 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.

R. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 11:53 A.M. 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.

Respectfully submitted,

Peggy Minton
Recording Secretary