

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
TRIBAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
SATURDAY – MARCH 3, 2007 – 9:00 A.M.**

- A. Date: March 3, 2007
- B. Call to Order: President LaFERNIER called the meeting to order at 9:03 a.m.
- C. Invocation: Lord's Prayer  
Opening Prayer in Ojibwa
- D. Roll Call: Present: Susan J. LaFERNIER, President  
Warren C. Swartz, Jr., Vice-President  
Toni J. Minton, Secretary  
Gary F. Loonsfoot, Sr., Assistant Secretary  
Jennifer Misegan, Treasurer  
Larry J. Denomie III, CEO  
Doreen G. Blaker  
Jerry Lee Curtis  
William E. Emery (left at 10:01 a.m.)  
Michael F. LaFERNIER, Sr.  
Elizabeth "Chiz" Matthews  
Elizabeth D. Mayo
- E. Declaration of Quorum: President LaFERNIER declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 3, 2007
- |           |               |  |
|-----------|---------------|--|
| Addition: | New Business- | 3. Susan LaFERNIER – Date of April Meeting<br>4. Chris Swartz – Flambeau Mine update |
| Deletion: | CEO's Report- | Larry Denomie – postpone for March 8 <sup>th</sup> meeting                           |

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

G. For Your Information:

1. "Thank you" from Eva Wren
2. "Thank you" from Jim Mattson, Toys for Tots Coordinator from Keweenaw Detachment #1016 Marine Corps League
3. "Thank you" from Tanya Sprawl, Title VII program director
4. "Thank you" from Barbara Swartz on behalf of the Ojibwa Senior Citizens
5. "Thank you" from Todd & Shane Pittsley
6. "Thank you" from the Holiday Hope Committee
7. DEQ withdraws Proposed Decision on Kennecott Mining Application
8. A copy of the Gaming Commission Meeting Minutes for February 6<sup>th</sup> & 13<sup>th</sup>, 2007
9. Margaret M. Chiara announces her resignation as United States Attorney for the Western District of Michigan effective March 16, 2007
10. A copy of the Donation Budget Sheet

H. Approval of Meeting Minutes:

1. February 15, 2007

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE FEBRUARY 15, 2007 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

I. President's Report/February 2007 - available for your review.

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE PRESIDENT'S REPORT. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

J. CEO's Report/February 2007 – [Postponed for future meeting]

K. Secretary's Report /February 2007 - available for your review.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE SECRETARY'S REPORT FOR FEBRUARY 2007. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

L. Treasurer's Report/February 2007 - Elizabeth Mayo called for discussion. She would like to know who is on the Finance Committee. Jennifer Misegan responded: The President, CEO, Assistant CEO, CFO, Comptroller and Treasurer.

**MOTION MADE BY TONI J. MINTON TO APPROVE THE TREASURER'S REPORT. SUPPORTED BY JERRY LEE CURTIS. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

M. Department Head Reports- January 2007

**MOTION MADE BY TONI J. MINTON TO APPROVE THE DEPARTMENT HEAD REPORTS FOR JANUARY 2007. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

N. Recognize Scheduled Delegation/ Individuals:

1. Donald Carlson and Allen Gauthier attended the "Great Lakes Indigenous Farming Conference" in White Earth, MN on February 8 – 11<sup>th</sup>. They presented handouts to the Council on organic gardening as well as a Renewable Energy Program, which includes using the power of the sun to heat homes and planting wind-break and shade trees around homes to help families create a shelter from the elements. They also discussed the S18 Act relating to liability resulting from the use of genetically engineered seeds and plant parts.

O. Old Business:

1. Jennifer Misegan - a) Jennifer had information on the cost of an Ethics Training which would include assistance on developing an ordinance. Falmouth Institute was \$7650.00 and Gary Montana was \$5328.00. Jennifer recommended Gary Montana. The Council agreed and tentatively scheduled the training for April 19<sup>th</sup> and 20<sup>th</sup>. Jennifer will bring the contract back to the Council at the March 8<sup>th</sup> meeting.

b) Helicopter Donation – The Council made a contribution of \$3057.70 to the Vietnam Veterans of America for a helicopter. They have offered to return the donation due to the fact that the project has been delayed and they do not have a definite deadline when the helicopter will be put on display.

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO LEAVE THE MONEY WITH THE VIETNAM VETERANS OF AMERICA, CHAPTER 380 OF MARQUETTE COUNTY FOR THE HELICOPTER. SUPPORTED BY DOREEN G. BLAKER. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

P. New Business:

1. Larry Denomie [Cherie Dakota could not be present] – (3) Copier Bids were received for the Health Department to lease a copier.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE BID WITH U.P. OFFICE EQUIPMENT FOR \$11,578.00 FOR A COPIER. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

2. Larry Denomie – Change order for Old 41 Water Main Extension

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE CHANGE ORDER #2 FOR THE I.H.S. PROJECT ON OLD HWY 41 FOR THE WATER MAIN EXTENSION PHASE 1. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Jennifer Misegan asked where the project was at. Mr. Baker responded that it should be completed this summer.

3. Susan LaFernier – April’s Regular Tribal Council Meeting Date is scheduled for April 7<sup>th</sup>, which falls on Easter weekend.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE A CHANGE IN THE MEETING DATE FROM APRIL 7<sup>TH</sup> TO APRIL 14<sup>TH</sup>. SUPPORTED BY JENNIFER MISEGAN. ALL IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

4. Chris Swartz gave a report on his VOIGT task force meeting held last week. He gave an update on the closing of the Flambeau Mine and asked the Council if they had any issues they would like him to present at the next meeting on March 16<sup>th</sup> and 17<sup>th</sup>.

Q. Closed Session:

1. Susan LaFernier
2. John Baker/Skip Durocher – Mary Streitz Conference Call
3. Larry Denomie

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION FOR THE ITEMS LISTED AT 10:00 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ABSENT – 0, MOTION CARRIED.**

Break: 10:01 – 10:09 a.m.

Gene Emery left at 10:01 a.m.

Break 11:47 – 11:55 a.m.

**MOTION MADE BY JENNIFER MISEGAN TO GO INTO OPEN SESSION AT 1:03 P.M. SUPPORTED BY LARRY J. DENOMIE III. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (William E. Emery), MOTION CARRIED.**

**MOTION MADE BY ELIZABETH D. MAYO TO FILE FOR A REHEARING FOR THE CIGARETTE TAX CASE BY THE 6<sup>TH</sup> CIRCUIT COURT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FOUR IN FAVOR (Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth D. Mayo), FIVE OPPOSED (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Elizabeth “Chiz” Matthews), ONE ABSTAINING (Warren C. Swartz, Jr.), ONE ABSENT (William E. Emery), MOTION DEFEATED.**

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE HUMAN RESOURCE DEPARTMENT FOR THE ENTERPRISES FALL UNDER THE GOVERNMENT POLICY BOOK EXCEPT FOR DAYS OFF AND THAT ANY NEW HIRES WILL FALL UNDER THE ENTERPRISE POLICY BOOK. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), THREE OPPOSED (Warren C. Swartz, Jr., Doreen G. Blaker, Michael F. LaFernier, Sr.), ONE ABSTAINING (Larry J. Denomie III), ONE ABSENT (William E. Emery), MOTION CARRIED.**

**MOTION MADE BY LARRY J. DENOMIE III TO SET UP A MEETING WITH THE STATE TO REVISIT THE TAX AGREEMENT. SUPPORTED BY JENNIFER MISEGAN.**

**MOTION MADE BY ELIZABETH D. MAYO TO TABLE THE REVISIT WITH THE STATE ON A TAX AGREEMENT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. THREE IN FAVOR (Doreen G. Blaker, Michael F. LaFernier, Sr., Elizabeth D. Mayo), SEVEN OPPOSED (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ABSTAINING - 0, ONE ABSENT (William E. Emery), MOTION DEFEATED.**

**MOTION MADE BY LARRY J. DENOMIE III TO SET UP A MEETING WITH THE STATE TO REVISIT THE TAX AGREEMENT. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), THREE OPPOSED (Doreen G. Blaker, Michael F. LaFernier, Sr., Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (William E. Emery), MOTION CARRIED.**

**MOTION MADE BY DOREEN G. BLAKER TO DONATE \$1000 TO ROSEMARY HAATAJA.**

[It was already decided on at a prior meeting. Doreen withdrew her motion. Susan LaFernier will handle the request.]

**MOTION MADE BY JENNIFER MISEGAN TO SET UP A COMMUNITY MEETING ON TAX ISSUES BY THE END OF MARCH. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (William E. Emery), MOTION CARRIED.**

R. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 1:12 P.M. 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, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (William E. Emery), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Recording Secretary