MINUTES
KEWEENAW BAY INDIAN COMMUNITY
FINANCE/SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – SEPTEMBER 10, 2009 – 9:00 A.M.

A. Date: September 10, 2009

B. Call to Order: Vice President LaFernier called the meeting to order at 9:23 a.m.

C. Invocation: Lord’s Prayer

D. Roll Call: Present: Susan J. LaFernier, Vice President
   Toni J. Minton, Secretary
   William E. Emery, Assistant Secretary
   Jennifer Misegan, Treasurer (left 2:20 – 3:19 p.m.)
   Jerry Lee Curtis (arrived at 10:02 a.m.)
   Fred Dakota (arrived at 10:44 a.m., left 2:30 – 3:02 p.m.)
   Michael F. LaFernier, Sr. (arrived at 11:11 a.m., left at 11:49 a.m.)
   Gary F. Loonsfoot, Sr. (left 10:44 – 11:17 a.m., left at 2:41 p.m.)
   Elizabeth “Chiz” Matthews
   Elizabeth D. Mayo (arrived at 1:47 p.m.)
   Isabelle Helene Welsh

   Absent: Warren C. Swartz, Jr., President

E. Declaration of Quorum: Vice President LaFernier declared a quorum present and proceeded with the order of business.

F. Approval of Agenda: September 10, 2009

   Deletion: Closed Session- 1. Lynn Haataja, Interim GM – Budget Review
   7. Larry Denomie III, CEO

   Additions: FYI- 1. Susan LaFernier - Draft Press Release regarding Judge Patterson's decision on Eagle Rock
   3. Gregg Nominelli - d) Tribal Corporation Code
   1. Francis LaPointe, CFO - Enterprise Budgets Discussion

   Closed Session- 3. Gregg Nominelli - d) Tribal Corporation Code

   Connor/Miller Sale Residential Lease

   Jennifer Misegan asked again to allow KBIC Members in Closed Session for the Budget Reviews.
MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

G. For Your Information:

1. Draft Press Release regarding Judge Patterson's decision on Eagle Rock

H. Approval of Meeting Minutes:

1. June 6, 2009

MOTION MADE BY TONI J. MINTON TO APPROVE THE JUNE 6, 2009 MEETING MINUTES. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), FIVE ABSENT (Warren C. Swartz, Jr., Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

I. Old Business:

1. Debbie Parrish, OCC – Accreditation Reports

   Debbie will meet with our accounting personnel to set up generally accepted accounting principles, the separate bank account for payables and work on a long term MOA before the next visit, which will be in two years. The college (students) can also assist with the cemetery mapping. The Wood Shop Class could also rebuild the spirit houses over the graves and can purchase materials.

J. New Business:

1. Jason Ayres, Realty Officer –

Jerry Lee Curtis arrived at 10:02 a.m.

   a) Village of Baraga Utility Easement to upgrade their utility systems

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE REQUEST FROM THE VILLAGE OF BARAGA FOR THEIR ELECTRIC TRANSMISSION LINE REPLACEMENT PROJECT AND THE TRIBE RETAINS THE FOREST VALUE OF THE EASEMENT PROPERTY. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.
b) Resolution KB-1709-2009 Indian Reservation Roads (IRR) Cooperative Agreement
FY2009 Baraga County Road Construction Projects with the Baraga County Road
Commission and the B.I.A.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1709-
2009 INDIAN RESERVATION ROADS (IRR) COOPERATIVE AGREEMENT FY2009 ROAD
PROJECTS. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton,
William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz”
Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C.
Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

c) Resolution KB-1710-2009 Charles W. Gauthier Recreational Lease

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1710-2009
CHARLIE GAUTHIER RECREATIONAL LEASE. SUPPORTED BY TONI J. MINTON.
SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary
F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING -
0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D.
Mayo), MOTION CARRIED.

d) Resolution KB-1711-2009 Cancels Daniel R. and Elizabeth H. Connor lease and grants
Tanya M. Miller a Residential Lease (refers also to KB-1674-2009)

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1711-2009
CONNOR/MILLER SALE RESIDENTIAL LEASE. SUPPORTED BY GARY F. LOONSFOOT,
SR. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis,
Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING -
0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D.
Mayo), MOTION CARRIED.

2. Susan LaFernier, Vice President – Letter of Request – Annual Christmas Bonus Benefits for
Ontonagon County Members (26) from Kathleen F. Chapman. The Tobacco Ordinance
21B.604 was reviewed regarding net profits from the sale of tax free tobacco products by the
community (members in Baraga and Marquette counties).

MOTION MADE BY GARY F. LOONSFOOT, SR. TO TABLE THE REQUEST UNTIL AFTER
THE BUDGET REVIEWS. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR
(Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr.,
Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR
ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo),
MOTION CARRIED.

The Council will discuss having a referendum vote of the people at this year’s election to decide who
should receive the Christmas Gift Check.
K. Closed Session:

1. Francis LaPointe, CFO - Enterprise Budgets Discussion [Open to KBIC Members]
2. Gerry Mantila, Cultural Committee Chair/Christoph Geiger, Attorney – Harlan Downwind Services Agreement
3. Gregg Nominelli, Economic Developer –
   a) Budget Review [Open to KBIC Members]
   b) Olympic Steel Lease
   c) Comprehensive Economic Development Strategy of WUPPDR for Potential EDA Funding – Listing Projects
   d) Tribal Corporation Code
4. Derek “Deve” Sever, Radio Station Manager –
   a) Budget Review [Open to KBIC Members]
   b) Birchfield Enterprises Contract – Tower Painting Project
5. Summer Cohen, TPHO – [Postponed]
   a) Liz Julio Transcribing Services Agreement
   b) Cindy Stiles Paraprofessional Training Contract
6. John Baker, Attorney

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 10:25 A.M. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Warren C. Swartz, Jr., Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Break: 10:26 a.m. – 10:44 a.m.
Fred Dakota arrived at 10:44 a.m.
Mike LaFernier, Sr. arrived at 11:11 a.m.
Gary Loonsfoot, Sr. returned from break at 11:17 a.m.
Mike LaFernier, Sr. left at 11:49 a.m.

Lunch: 12:40 – 1:47 p.m.
Elizabeth Mayo arrived at 1:47 p.m.
Jennifer Misegan left 2:20 – 3:19 p.m.
Fred Dakota left 2:30 – 3:02 p.m.
Gary Loonsfoot, Sr. left at 2:41 p.m.

Break: 3:03 – 3:13 p.m.
MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 4:40 P.M. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Kevin Birchfield Services Agreement – Prepare, paint, inspect, and re-lamp the radio station (KBIC) Guyed Tower on Paradise Road, Houghton, MI

MOTION MADE BY FRED DAKOTA TO APPROVE THE SERVICES AGREEMENT WITH KEVIN BIRCHFIELD IN THE AMOUNT OF $4,700.00. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Harlan Downwind Renewal Services Agreement – 3 years

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SERVICES AGREEMENT WITH HARLAN DOWNWIND FOR TRADITIONAL TEACHINGS, CEREMONIES AND HEALING. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Western Upper Peninsula Planning & Development Regional (WUPPDR) Economic Development Administration (CEDS) List – Serves as a model for the economic development of the Western U.P. Region for possible funding.

MOTION MADE BY FRED DAKOTA TO APPROVE THE WUPPDR CEDS LIST AS PRESENTED. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Jennifer Misegan stated her opposition: She would have liked to have more information on the Baraga County Economic Development Office.
L. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:46 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton
Administrative Specialist