MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – APRIL 26, 2007 – 9:00 A.M.

A. Date: April 26, 2007

B. Call to Order: President LaFernier called the meeting to order at 9:13 a.m.

C. Invocation: Lord’s Prayer
Opening Prayer in Ojibwa

D. Roll Call: Present: Susan J. LaFernier, President
Toni J. Minton, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary (left at 2:40 p.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Doreen G. Blaker (out 10:48 a.m. to 1:31 p.m., 2:55 to 4:16 p.m.)
Jerry Lee Curtis
William E. Emery
Michael F. LaFernier, Sr. (out 12:15 to 2:25 p.m., 4:08 to 4:25 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (out 10:05 a.m. to 1:18 p.m., 2:32 to 4:08 p.m.)

Absent: Warren C. Swartz, Jr., Vice-President

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

F. Approval of Agenda: April 26, 2007

Additions: FYI-
New Business-

5. Letter from Gundlach Champion – Kennecott Minerals
5. Mike LaFernier – a) Online Bidding
   b) Credit Application
6. Jerry Lee Curtis – Adam Walsh Act – effect on Tribes

Susan had Chelsea Smith, Deena Misegan and Hope Minton introduce themselves, the girls were participating in the “Bring your Daughters to Work Day.”

G. For your Information:
   1. A copy of The Seven Grandfathers Teachings
   2. A copy of a Bill introduced by Bart Stupak to amend the Federal Water Pollution Control Act
   3. A copy of a Bill introduced by Bart Stupak to amend the Safe Drinking Water Act
   4. A copy of a letter from Oneida Indian Nation regarding a threat to tribal gaming compacts
   5. A letter from Gundlach Champion regarding Kennecott Minerals

H. Old Business:
   1. Doreen Blaker – Addition of 2.3 Penalties - Firefighters Drug & Alcohol, Fighting, Insubordination and Leaving Fire Camp Policy.


   2. Larry Denomie – Cell Phone Policy Final Copy


   3. John Baker - Title 27B Nonprofit Corporation Ordinance 2007-1 – review [Will return to this]

I. New Business:
   1. Mary Bergerson – I.M.L.S. Grant Budget for two years if funded. This was not funded last year and it needs to be mailed by May 3rd.


Mr. Baker described how the Tribe would establish a Nonprofit Corporation.

Elizabeth Mayo left at 10:05 a.m.

Break: 10:48 – 11:10 a.m.

Doreen Blaker left at 10:48 a.m.

2. Mike Jensen – I.T.C. Grant Application for Outpatient & Residential Services/Access to Recovery

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1542-2007, TO ALLOW ITC TO APPLY FOR THIS GRANT, ACCESS TO RECOVERY, 2007 FUNDS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR. (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED – 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.


Resolution KB-1522-2007 – Pelkie Road Bridge Project

Resolution KB-1523-2007 – Silver Road Bridge Project

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1523-2007 AND TO EXTEND THE COMPLETION DATE OF DECEMBER 31, 2006 TO DECEMBER 31, 2007 WITH NO OTHER CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR. (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), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Resolution KB-1524-2007 – ERFO Project Modification

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1524-2007 AND TO EXTEND THE COMPLETION DATE OF DECEMBER 31, 2006 TO DECEMBER 31, 2007 WITH NO OTHER CHANGES. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR. (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), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Resolution KB-1525-2007 – Aura Road Project


Resolution KB-1526-2007 – Zeba Road Project

Resolution KB-1527-2007 – Marksman Road Project


Resolution KB-1528-2007 – Mission Road Project


Resolution KB-1535-2007 – Lance Forcia Recreational Lease

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1535-2007, LANCE FORCIA RECREATIONAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR. (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), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Resolution KB-1537-2007 – Haven Curtis Transfer from Karen Curtis

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1537-2007, TRANSFER OF A RESIDENTIAL LEASE FOR GERLINDE K. CURTIS TO HAVEN CURTIS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR. (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED – 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.
Resolution KB-1538-2007 – Christopher T. LaBeau Residential Lease


Resolution KB-1540-2007 – Vuk Road ($170,000) and Brewery Road ($290,000) Co-op Agreements with the B.C. Road Commission.


Resolution KB-1541-2007 – Arvon Road Stream Crossing Grant Application ($25,000)


4. Mike LaFernier – a) Online Bidding Request for equipment. These will be paid from Jason Ayres program or a certified check needs to be delivered within 5 days after the bid is submitted. This equipment is for the BIA Roads.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE MIKE LAFERNIER, FROM TRIBAL CONSTRUCTION, AUTHORITY TO BID ONLINE FOR A SANDER/BOTTOM PLOW UP TO $6,000 AND A FRONT-END LOADER UP TO $20,000 PER MIKE'S REQUEST. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR. (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED – 0, ONE ABSTAINING (Larry J. Denomie III), THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.
b) Line of Credit Applications – He requested two Council Members signatures in order to allow companies to view bank accounts for credit applications. [This did not require formal approval].

Lunch: 12:15 – 1:18 p.m.

Mike LaFernier left at 12:15 p.m.

Elizabeth Mayo returned at 1:18 p.m.


MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID AND SERVICES AGREEMENT FOR JANET MARR, FOR $35,000.00 FOR THE WETLAND PLANT INVENTORY SERVICES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR. (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomic III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.

Doreen Blaker returned at 1:31 p.m.

b) Spring Cleanup 2007 – Council had questions regarding the Village’s involvement. Todd will call to clarify.

c) Circle of Flight Program – 2007 Funding Level (FYI). $14,000.00 will be received for wild rice seeding, equipment and supplies.


e) Sand Point Cleanup Recognition – KBIC received recognition from the EPA Region 5 for completing the first Tribal Brownsfield Cleanup. There will be no Press Releases.

f) BIA Water Program Funding 2008 – There will be no funding to the Midwest region.

Doreen Blaker left at 1:55 p.m.

g) Hatchery Water Supply – The water production and levels appear to be declining and a new well may be needed this summer. They presently have three wells. This will be discussed at the May 1st Finance Meeting.

6. Jerry Lee Curtis – Adam Walsh Act. July 27, 2007 is the deadline for Tribes to determine whether or not they will regulate the registration of sex offenders otherwise the State will be in charge of it. Susan said that Judy Heath from Social Services is working on a resolution for this. Larry will follow up with her by June 2nd.

Break: 2:10 – 2:25 p.m.

Mike LaFernier returned at 2:25 p.m.

J. Closed Session:

1. Kathy Mayo – Contracts
2. Jennifer Misegan – Donations
3. Doreen Blaker
4. Larry Denomie
5. John Baker – Industrial Park Space Lease Agreement for Jerry Magnant/Other
6. Susan LaFernier – Personnel Policies/Other

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 2:26 P.M. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR. (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), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING – 0, TWO ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker), MOTION CARRIED.
Elizabeth Mayo left at 2:32 and returned at 4:08 p.m.

Gary Loonsfoot left at 2:40 p.m.

Doreen Blaker left at 2:55 and returned at 4:16 p.m.

Break: 3:53 – 4:08 p.m.

Mike LaFernier left at 4:08 and returned at 4:25 p.m.

MOTION MADE BY DOREEN G. BLAKER TO GO INTO OPEN SESSION AT 5:03 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR. (Toni J. Minton, 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, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.


MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT WITH DALE SCHMEISSER FOR THE DIABETES PROGRAM, TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH DALE SCHMEISSER FOR THE HEALTHY START PROGRAM AND TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH THE WESTERN UPPER PENINSULA DISTRICT HEALTH DEPARTMENT FOR THE WOMEN OF WELLNESS PROGRAM. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR. (Toni J. Minton, 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, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.
MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE SPACE LEASE FOR JERRY MAGNANT IN THE INDUSTRIAL PARK AS PRESENTED. SUPPORTED BY ELIZABETH D. MAYO. SIX IN FAVOR. (Toni J. Minton, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth D. Mayo), TWO OPPOSED (Jennifer Misegan, Elizabeth “Chiz” Matthews), ONE ABSTAINING (Larry J. Denomie III), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE APRIL DONATIONS AS FOLLOWS: KBIC HEADSTART GRADUATION $425.00, GEORGE MADOSH – FAMILY MARKER DEDICATION $500.00, COPPER COUNTRY HUMANE SOCIETY $100.00, TROY LAFERNIER – MUD DRAG SPONSORSHIP $250.00, DAN KOSKI – MUD DRAG SPONSORSHIP $250.00, DON KOSKI – MUD DRAG SPONSORSHIP $250.00, TOM & BRANDY CHO SA – MUD DRAG SPONSORSHIP $250.00, STEVEN DENOMIE – MOTORCROSS SPONSORSHIP $250.00, DYLAN MORIN – MOTORCROSS SPONSORSHIP $250.00, JEFF KLOPSTEIN – MOTORCROSS SPONSORSHIP $250.00, DAN HUECKSTAEDT – STOCKCAR SPONSORSHIP $250.00, WEYLIN HAATAJA – MUD DRAG SPONSORSHIP $250.00, BEVERLY LUSSIER – SUMMER IMMERSION PROGRAM $1080.00 PENDING SOVEREIGN FUND, PEGGY MINTON – SUMMER IMMERSION PROGRAM $1080.00 PENDING SOVEREIGN FUND. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SIX IN FAVOR. (Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, THREE ABSTAINING (Toni J. Minton, Larry J. Denomie III, Elizabeth D. Mayo), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 5:10 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR. (Toni J. Minton, 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, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary