

KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center
107 Beartown Road
Baraga, Michigan 49908
Phone (906) 353-6623
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2006 TRIBAL COUNCIL

SUSAN J. LAFERNIER, President
WARREN C. SWARTZ, JR., Vice-President
LARRY J. DENOMIE III, Secretary
DOREEN G. BLAKER, Asst. Secretary
TONI J. MINTON, Treasurer

FRED DAKOTA
WILLIAM E. EMERY
MICHAEL F. LAFERNIER, SR.
GARY F. LOONSFOOT, SR.
ELIZABETH "CHIZ" MATTHEWS
ELIZABETH D. MAYO
SHAWANUNG

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – OCTOBER 7, 2006 – 10:00 A.M.**

APPROVED

11-17-06

- A. Date: October 7, 2006
- B. Call to Order: President LaFernier called the meeting to order at 10:17 a.m.
- C. Invocation: The Lord's Prayer
Opening Prayer in Ojibwa by Shawanung.
- D. Roll Call: Present: Susan J. LaFernier, President
Warren C. Swartz, Jr., Vice-President
Larry J. Denomie III, Secretary
Doreen G. Blaker, Assistant Secretary
Toni J. Minton, Treasurer
Fred Dakota
William E. Emery
Michael F. LaFernier, Sr.
Gary F. Loonsfoot, Sr.
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo
Shawanung
- E. Declaration of Quorum: President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 7, 2006
- Addition- New Business: 2. b) Larry Denomie – Information and update on Michigan Proposal 2 and a request for funding on behalf of the Education Committee.
- Deletion- Secretary's Report: Larry Denomie – A three-month report will be given in November and Larry is also working with the I.T. Department to have his report available on-line.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH CHANGES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

G. For Your Information:

1. A list of the Tribe's that have contributed to the Native American Rights Fund, including Keweenaw Bay Indian Community.
2. A copy of the VOIGT Task Force meeting minutes from August 3, 2006. Shawanung and Chris Swartz will be attending these meetings in the future as Dick Shalifoe has resigned.
3. A copy of Approved meeting minutes for May 2, 2005 and July 14th, 20th and August 31, 2006.
4. A copy of Notification of approved enrollment applications.
5. A copy of the audit report for the period of October 1, 2002 through September 30, 2003.
6. "Thank You" from the Parade of Nations Committee.
7. A copy of the Michigan State University Extension Government Series.

H. President/CEO's Report /September 2006 - available for your review.

MOTION MADE BY FRED DAKOTA TO ACCEPT THE PRESIDENT'S REPORT. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

I. Treasurer's Report /September 2006 - available for your review.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE TREASURER'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

J. Recognize Scheduled Delegation/Individuals:

1. Carrie Ashbrook/Mick Campbell/Hannah Misegan – Request for a sponsorship of \$5000.00 for the Marquette/Alger County Special Olympics. Mic Campbell asked the Council to be the principle sponsor. Hannah gave a speech on her involvement in the Special Olympics and her travels and awards she's been given.

MOTION MADE BY LARRY J. DENOMIE III TO TABLE THE REQUEST FOR CONSIDERATION AT THE DONATION MEETING. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

2. Pat Brown/Linda Rabitaille – They requested a \$1300.00 donation for the Marquette Senior Christmas Party and if KBIC could donate turkeys. Susan LaFernier said the party has already been put in the budget and the turkeys can be added to the Christmas Turkey List. The party will be on December 2, 2006 and the KBIC Council members and KBIC Seniors are invited.
3. Linda Bressette/Glen Bressette – Linda Bressette had concerns regarding Housing issues for elders. Rent has increased 30% and there is no longer plowing available to them. Gary Loonsfoot asked if she could address these issues at the Housing meeting on October 21, 2006 in Marquette and to encourage everyone to come to the meeting that lives in Housing so these issues can be brought before the Housing Board and Housing Director.

Glen Bressette voiced his opinion on several issues such as voting rights and the Senior Assistance Program for members living off the reservation, members having to travel to Munising for health care from the Sault Ste. Marie Tribe and having a representative from Marquette on the Council or if that could not be done, a representative to speak for them. Glenn lives off the reservation and wants to be a part of the Tribe, he is a KBIC member and a member of the Color Guard but he feels that the people of Marquette are often forgotten.

George Madosh feels we need to get rid of the exclusion of “off-rez” people.

Larry Denomie pointed out that I.H.S. sets the service areas for the health care facilities and as for the off-reservation voting, the constitution would have to be changed in order for that to take place and it can certainly be brought to the attention of the Constitution Task Force.

Susan LaFernier said she will find out when the next Constitution Task Force meeting is and let them know of these concerns.

Doreen Blaker said it would be nice to have Marquette people come to the Constitution Task Force meetings and give their input.

Break: 11:30 a.m. – 11:47 a.m.

K. Old Business:

1. Susan LaFernier – Resolution KB 1504-2006, Imminent Threat Assistance Program - No Funds for Baraga Sewer. A letter was also sent from the September 15, 2006 meeting.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-1504-2006. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT – 0, MOTION CARRIED.

M. New Business:

1. Susan LaFernier – a) Review Donation Requests that the Council will be looking at during the Donation Meeting for the following:
 - Bay Cliff Health Camp
 - Congressman Frank Palone
 - Women’s Hall of Fame
 - Michigan Indian Employment & Training Services
 - Daily Mining Gazette – sponsorship
 - American Indian Athletic Hall of Fame
 - Special Olympics (from today)
- b) Conservation Department Request to purchase a new Polaris Ranger from the insurance money they received from one that was stolen and the other that was damaged.

Larry Denomie would like to hear the outcome of the investigation first, before a decision is made. The Council never received a report back on this and in the Police Manual there is a section that talks about lost or stolen equipment and specifically how to deal with the insurance claim.

MOTION MADE BY LARRY J. DENOMIE III TO TABLE THIS REQUEST UNTIL WE CAN HEAR FROM THAT DEPARTMENT. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Toni J. Minton, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews), FIVE OPPOSED (Doreen G. Blaker, Fred Dakota, William E. Emery, Elizabeth D. Mayo, Shawanung) ABSTAINING - 0, ABSENT – 0, MOTION CARRIED.

Doreen Blaker would like to state her opposition, she believes the officers have done their investigation and it is a finalized thing here.

2. Larry Denomie – a) Introduction of Proposed Amendment to the Election Ordinance 2006-3. This is the First Reading. The proposed amendment is to provide 18-year-old Tribal members with the right to vote and to clarify provisions relating to absentee ballots for Tribal members in the Military, college students and to those who are traveling.

MOTION MADE BY LARRY J. DENOMIE III TO INTRODUCE PROPOSED ORDINANCE 2006-3, AN AMENDMENT TO THE ELECTION ORDINANCE TO PROVIDE 18-YEAR-OLD TRIBAL MEMBERS THE RIGHT TO VOTE AND TO CLARIFY PROVISIONS RELATING TO ABSENTEE BALLOTS AND TO WAIVE THE FIRST READING. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT – 0, MOTION CARRIED.

Larry Denomie suggested that the Second Reading be scheduled for October 19, 2006. Council agreed.

b) Information and update on Michigan Proposal 2 and a request for funding on behalf of the Education Committee. The Education Committee feels there is a great need to make people aware of the impact that Proposal 2 will have on Native Americans. The Tuition Waiver is threatened by this proposal and if passed it will be devastating to Native American people. The

Education Committee has started a list of eligible voters and will be sending letters out to urge Tribal members to vote *no* in the November 7, 2006 election. The committee would like to request \$1000.00 to support them in broadcasting ads on the radio and running articles in the newspapers as soon as possible with the election being so soon. The information needs to get out to the people to raise awareness.

Chris Swartz felt that this fits under an emergency situation with donation requests.

MOTION MADE BY WARREN C. SWARTZ, JR. TO DONATE \$1000.00 TO THE KBIC EDUCATION COMMITTEE TO HELP THE CAMPAIGN AGAINST PROPOSAL 2. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

N. Department Head Reports – August 2006

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AUGUST DEPARTMENT HEAD REPORTS. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

O. Closed Session:

1. Lisa Kerfoot, ITC – Adult Tobacco Survey Results
2. Jacqueline Swartz
3. John Baker
4. Susan LaFernier

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 12:15 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), THREE OPPOSED (Fred Dakota, Elizabeth D. Mayo, Shawanung), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 2:18 P.M. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

MOTION MADE BY FRED DAKOTA TO RAISE THE MINIMUM WAGE TO \$6.95 FOR 31 EMPLOYEES, 23 IN BARAGA, 8 IN MARQUETTE AND TO INCLUDE GOVERNMENT EMPLOYEES, EFFECTIVE 10-01-06. SUPPORTED BY WARREN C. SWARTZ, JR. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Lisa Kerfoot – Adult Tobacco Survey Results-

MOTION MADE BY LARRY J. DENOMIE III TO RELEASE FOR PUBLIC USE THE KBIC AMERICAN INDIAN/ALASKAN NATIVE ADULT TOBACCO SURVEY RESULTS. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Harlan Downwind-

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT BETWEEN KBIC AND HARLAN DOWNWIND AND THAT A SUPPLEMENT LETTER OUTLINING THE SCHEDULE BE INCLUDED. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), FOUR OPPOSED (Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo, Shawanung), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

P. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 2:23 P.M. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Toni J. Minton, Fred Dakota, William E. Emery, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Shawanung), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

Respectfully submitted,



Peggy Minton
Recording Secretary

KEWEENAW BAY TRIBAL COUNCIL

Report from the President/C.E.O.

Susan J. LaFornier

September, 2006 (for the October 7, 2006 Meeting)

*ANIN! "We Honor The Greatness In You"
and Good Morning!*

On September 16th Toni and I marched from Hancock to Houghton in the annual Parade of Nations. We were honored to head the parade with our youth and drum and our Veterans in front. It was a great parade with great food, performances, and dress, this year from 90 nations.

The attorney's office has been very busy preparing the final revisions to the Airport Casino's 2-part application that should be filed in the next few weeks. We are preparing the BIA for the application and we are following our timeline.

Instead of traveling, I participated in a conference call for approximately three hours with the I.H.S. Tribal Advisory Board that I am a member.

We have also worked on various personnel issues that were not resolved in prior years.

As of today all of the checks for the Senior Assistance Program have been issued except two and this program assisted 190 Seniors.

Also we are hoping to finalize and approve the 2007 budgets next week.

NATIVE VOTE 2006 is fast approaching! It's time to focus on registering new voters and then to vote! The last day to register to vote in Michigan is October 10, 2006 but you should check your local clerk offices. (see NCAI Letter) Let's also encourage our young people to turn out in record numbers for this November 7th election.

There will also be 5 proposals that will appear on the general election ballot that you should be aware of. Please review these and be informed before you vote. One very important proposal is the Michigan Civil Rights Initiative Petition. Pay close attention to this and it is even more reason to vote! The purpose of this proposed amendment to the State Constitution would be to "prohibit the University of Michigan and other state universities, the state, and all other state entities from discriminating against or granting preferential treatment based on race, sex, color, ethnicity, or national origin." This seeks to ban public institutions from using affirmative action programs that give preferential treatment to groups or individuals based on their race, gender, color ethnicity, or national origin for public employment, education, or contracting purposes. Two other States, California and Washington, have adopted similar initiatives to override Affirmative Action's preferential treatment to minorities. I do have more

information on this topic and our Education Committee will be presenting more information also.

On September 11, 2006, the oral arguments regarding our Cigarette Case were heard at the 6th Circuit Court of Appeals in Cincinnati and it probably will take a few months for this decision. As you may know the Michigan Court of Appeals overturned Ingham County Circuit Judge Paula Manderfields June 22nd ruling ordering the DEQ to conduct a hearing on whether the Kennecott permit application was complete and she barred them from processing the applications until after the hearing. Three judges with the Court of appeals stated that we had failed to show that we had been harmed by the DEQ's finding that the application was complete. This will now be appealed to the Supreme Court.

Also for your information the State of Michigan filed a petition for Certiorari with the U.S. Supreme Court on our Property Tax Case. It is still not known at this time if the Supreme Court will hear our case or not.

Please continue to keep everyone in your prayers who are ill or have lost loved ones and continue your prayers for all of our men and women in the Service. Please pray for peace on earth and let us be thankful for our many blessings.

Once again it has been a very busy month meeting with department heads, employees, members, and visitors on a daily basis, Gaming Commission issues, telephone calls, and of course, Council meetings that Larry will report on. If you have any questions, concerns, or I can be of help to you, please call me 353-6623 ext 4168.
My cell phone: 201-1756.

MEGWETCH!

FOR TRIBAL COUNCIL ONLY:

Also attached is Sarah Smith's September 2006 Report

Keweenaw Bay Tribal Council
Treasurers Report
September 2006
(For the October 7, 2006 Meeting)

The month of September was very busy for the Council. Fiscal year 2007 began on October 1, 2006 and budgets for this year need to be finalized. The council spent 8 days reviewing budgets with individual directors and managers in September. The budget committee, which consists of Tribal Chairperson/CEO Susan LaFernier, Chief Financial Officer Francis LaPointe, Comptroller, Dawn Richards, CEO Administrative Assistant Sarah Smith, and myself the council Treasurer, has been reviewing recommended changes and will present them to the council. We hope to approve the final budgets next week after council reviews them one more time. I would like to thank the budget committee for their hard work during this difficult process.

The council has discussed processing council donations in a new manner. We would like to continue to receive donation requests by personal presentation or letter. However, we won't make immediate decisions (unless there is an emergency). We will meet once a month after we receive our monthly financial reports to decide on which requests to donate to. We will then report at the next regular Saturday meeting which requests were funded. We will need the cooperation of community members in planning ahead whenever possible if they would like to request a donation.

September 30th was also the deadline for 2% requests. I will be reviewing the requests and presenting them to council. The payments must be processed by November 30, 2006.

Respectfully submitted,

Toni Minton

AGENDA
KEWEENAW BAY INDIAN COMMUNITY
REGULAR COUNCIL MEETING
MARQUETTE COMMUNITY CENTER
SATURDAY – OCTOBER 7, 2006 – 10:00 A.M.

- A. Date: October 7, 2006
- B. Call to Order:
- C. Invocation: The Lord's Prayer
Opening Prayer in Ojibwa
- D. Roll Call: _____ Susan J. LaFemier, President
_____ Warren C. Swartz, Jr., Vice-President
_____ Larry J. Denomie III, Secretary
_____ Doreen G. Blaker, Assistant Secretary
_____ Toni J. Minton, Treasurer
_____ Fred Dakota
_____ William E. Emery
_____ Michael F. LaFemier, Sr.
_____ Gary F. Loonsfoot, Sr.
_____ Elizabeth "Chiz" Matthews
_____ Elizabeth D. Mayo
_____ Shawanung
- E. Declaration of Quorum:
- F. Approval of Agenda: October 7, 2006
- G. For Your Information:
1. A list of the Tribe's that have contributed to the Native American Rights Fund
 2. A copy of the VOIGT Task Force meeting minutes from August 3, 2006
 3. A copy of Approved meeting minutes for May 2, 2005 and July 14th, 20th and August 31, 2006
 4. A copy of Notification of approved enrollment applications
 5. A copy of the audit report for the period of October 1, 2002 through September 30, 2003
 6. "Thank You" from the Parade of Nations Committee
 7. A copy of the Michigan State University Extension Government Series
- H. President/CEO's Report /September 2006
- I. Secretary's Report /September 2006
- J. Treasurer's Report /September 2006

K. Recognize Scheduled Delegation/Individuals:

1. Carrie Ashbrook/Mic Campbell – Request Donation for the Special Olympics
2. Pat Brown/Linda Rabitaille – Request for Marquette Senior Christmas Party
3. Linda Bressette/Glen Bressette – Concerns

L. Old Business:

1. Susan LaFernier – Resolution KB 1504-2006 No Funds for Baraga Sewer

M. New Business:

1. Susan LaFernier – a) Review Donation Request
b) Conservation Department Request to purchase new Polaris Ranger
2. Larry Denomie – Introduction of Proposed Amendment to the Election Ordinance

N. Department Head Reports – August 2006

O. Closed Session:

1. Lisa Kerfoot – Adult Tobacco Survey Results
2. Jacqueline Swartz
3. John Baker
4. Susan LaFernier

P. Adjournment: