

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – JULY 30, 2009 – 9:00 A.M.**

- A. Date: July 30, 2009
- B. Call to Order: Vice-President LaFernier called the meeting to order at 9:10 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Susan J. LaFernier, Vice-President  
Toni J. Minton, Secretary (arrived at 9:43 a.m.)  
William E. Emery, Assistant Secretary  
Jennifer Misegan, Treasurer (left 3:13 – 3:48 p.m.)  
Jerry Lee Curtis  
Fred Dakota (left 10:23 – 10:46 a.m.)  
Michael F. LaFernier, Sr. (arrived at 9:32 a.m.)  
Gary F. Loonsfoot, Sr. (left at 2:40 p.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo  
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: July 30, 2009

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

G. For Your Information:

1. Larry Denomie III, CEO - Grants Procedure Manual (Draft)
2. KBIC Solid Waste Transfer Station Funding Award for FY2010 \$496,250
3. Tribal Council Training Course in Corning, California on October 8, 2009. It was suggested to have this training here in January 2010.
4. Arkansas Transit Homes, Inc. – Mobile Home Transport Co. Services for FEMA Homes
5. Todd Warner – Walleye Pond Tour Opportunity on July 31, 2009 at 4:30 p.m. (Fred, Gene, Susan will attend)

H. Approval of Meeting Minutes:

1. June 3, 2006

**MOTION MADE BY FRED DAKOTA TO APPROVE THE JUNE 3, 2006 MEETING MINUTES. SUPPORTED BY GARY F. LOONSFOOT, SR. FIVE IN FAVOR (William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Jerry Lee Curtis, Isabelle H. Welsh), THREE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Michael F. LaFernier, Sr.), MOTION CARRIED.**

2. June 8, 2006

**MOTION MADE BY FRED DAKOTA TO APPROVE THE JUNE 8, 2006 MEETING MINUTES. SUPPORTED BY ELIZABETH D. MAYO. FIVE IN FAVOR (William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Jerry Lee Curtis, Isabelle H. Welsh), FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr.), MOTION CARRIED.**

(Jennifer Misegan out of the room)

**Mike LaFernier, Sr. arrived at 9:32 a.m.**

I. Old Business:

1. Code of Ethics Ordinance Review/John Baker, Attorney - The Council reviewed pages 1 – 10.

**Toni Minton arrived at 9:43 a.m.**

**Fred Dakota left 10:23 – 10:46 a.m.**

The Council will continue the ordinance review on August 4, 2009 with the Comprehensive Plan Review.

**Break: 11:08 – 11:22 a.m.**

J. New Business:

1. Lynn Haataja, Interim General Manager – (3) Enterprise Carpet Extractor (Shampooer) Bids: (2) from Golden Eagle Supply, Inc. \$9,125.00 31.4 gallon, \$8,638.00 21 gallon and (1) from Hiawatha Chef Supply, Inc. \$7,487.00 20 gallon

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE PURCHASE OF A VOYAGER DUO DELUXE CARPET EXTRACTOR FOR \$9,125.00. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

2. Jim Stingle, Grant Writer – Resolution KB-1698-2009 FY09 ICDBG Application for \$600,000 for the construction of a \$2,398,000 gas station/convenience center

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1698-2009 FY09 ICDBG APPLICATION. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Fred Dakota), ONE ABSTAINING (Elizabeth D. Mayo), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

3. John Baker, Attorney – Morin Fireworks Permit Renewal

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE MORIN FIREWORKS PERMIT RENEWAL FOR ONE YEAR. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

K. Closed Session:

1. Dawn Gauthier, Commodity Foods – Department Head Update
2. Tom Chosa, I.T. – Department Head Update
3. Dale Dakota, Chief of Police/Chris Gerard, Weed & Seed – Department Head Update
4. Gaming Commission – GLI – Gaming Laboratories International, LLC – Request for on-site Inspection at the Baraga/Marquette Casinos
5. Pauline Spruce, Personnel/Carole LaPointe, Health Director – Dr. Beaufait Doctor Employment Agreement
6. Jennifer Misegan, Treasurer – Donations
7. John Baker, Attorney
8. Susan LaFernier, Vice-President – FYI Mi Water Ballot Initiative

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 11:37 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

**Lunch: 11:55 a.m. – 1:08 p.m.**

**Break: 2:20 – 2:32 p.m.**

**Gary Loonsfoot, Sr. left at 2:40 p.m.**

**Jennifer Misegan left 3:13 – 3:48 p.m.**

**MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 4:33 P.M. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Dennis M. Beaufait, Ed.D. Doctor’s Employment Agreement -

**MOTION MADE BY ELIZABETH D. MAYO TO ACCEPT DR. BEAUFAIT’S EMPLOYMENT AGREEMENT AND TO HAVE THE VICE-PRESIDENT SIGN. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

July 2009 Donations -

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JULY 2009 DONATIONS AS FOLLOWS, \$500.00 FOR THE PROTECT THE EARTH EVENT FOR THE PARTICIPANT LUNCH FOR THE WALK, \$500.00 FOR THE SOFTBALL TOURNAMENT AS REQUESTED BY THE DRIFT & SONS ROOFING CO. AND \$500.00 FOR THE SPECIAL OLYMPICS. 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), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Mike LaFernier, Sr. stated his opposition: He would have liked to see the Baraga County Little League receive a donation also.

The 106 Group, LTD Consultant Agreement – KBIC requires a preparation of a Section 106 Assessment of Traditional Cultural Properties within the area of potential effect of the proposed Kennecott Eagle Minerals Co. sulfide mine in the Yellow Dog Plains to be prepared in 90 days.

**MOTION MADE BY TONI J. MINTON TO APPROVE THE CONSULTANT AGREEMENT WITH THE 106 GROUP, LTD. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Jennifer Misegan), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:36 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist