

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – AUGUST 16, 2007 – 9:00 A.M.**

- A. Date: August 16, 2007
- B. Call to Order: President LaFERNIER called the meeting to order at 9:23 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., Asst. Sec. (arrived at 9:40 a.m., left at 2:40 p.m.)  
Jennifer Misegan, Treasurer  
Larry J. Denomie III, CEO  
Jerry Lee Curtis  
William E. Emery  
Michael F. LaFERNIER, Sr. (arrived at 10:44 a.m.)  
Elizabeth "Chiz" Matthews  
Elizabeth D. Mayo
- Absent: Doreen G. Blaker
- E. Declaration of Quorum: President LaFERNIER declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 16, 2007

Addition: FYI- 3. Public Hearing Workshop on Sulfide Mining

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

G. For your Information:

1. VOIGT Task Force Meeting Minutes for July 5, 2007
2. Ojibwa Language Revitalization & Preservation Plan Development Meeting Dates are scheduled for August 26<sup>th</sup> – 29<sup>th</sup> and Debra Williamson invited the Council to attend.

**MOTION MADE BY ELIZABETH D. MAYO TO MOVE THE BUDGET MEETINGS FROM THE END OF AUGUST TO THE WEEK BEGINNING SEPTEMBER 4TH. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING – 0, THREE ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.**

Susan LaFernier reminded the Council that the Baraga Casino Employee picnic is on Wednesday, August 22<sup>nd</sup> at the L’Anse Waterfront Park. Food will be served from 12:00 – 3:00 p.m.

3. Consolidated Public Comment Period and Hearing on the Kenecott Eagle Project will be held at NMU on September 10, 2007. The Council will provide bus service and a meal for KB Members who want to attend. An ad will be put in the L’Anse Sentinel to sign up by August 31<sup>st</sup>.

H. Approval of Meeting Minutes:

1. July 26, 2007

Gary Loonsfoot arrived at 9:40 a.m.

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE JULY 26, 2007 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY WARREN C. SWARTZ, JR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.**

2. July 27, 2007

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE JULY 27, 2007 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.**

I. Old Business:

1. Elizabeth Mayo/Jim Byykkonen – Jim Byykkonen Request to be reinstated to his former job as Security Guard Supervisor.

**MOTION MADE BY ELIZABETH D. MAYO TO REINSTATE JIM BYYKKONEN BACK TO HIS SECURITY GUARD SUPERVISOR POSITION DUE TO THE RECENT COURT’S RULING ON RANDOM DRUG TESTING BEING THAT IT IS UNCONSTITUTIONAL AND VIOLATING THE SEARCH AND SEIZURE PROVISION OF THE INDIAN CIVIL RIGHTS ACT. SUPPORTED BY WARREN C. SWARTZ, JR. TWO IN FAVOR (Warren C. Swartz, Jr., Elizabeth D. Mayo), SEVEN OPPOSED (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews), ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION DEFEATED.**

Gary Loonsfoot said that Jim was not fired for that reason, he had a choice to take the drug test and it could have been taken under protest.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO PUT JIM BYYKKONEN ON A LIST AT THE CASINO TO GET THE NEXT AVAILABLE JOB. SUPPORTED BY WILLIAM E. EMERY. FOUR IN FAVOR (Gary F. Loonsfoot, Sr., Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews), OPPOSED – 0, FIVE ABSTAINING (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Elizabeth D. Mayo), TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.**

J. New Business:

1. Debbie Parrish/Roger Bogda – a) OCC Lease for Green House

Debbie requested use of the Green House for OCC art classes.

**MOTION MADE BY LARRY J. DENOMIE III TO TABLE THE REQUEST UNTIL THE DISCUSSION IN CLOSED SESSION REGARDING THE OCC. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews), TWO OPPOSED (Warren C. Swartz, Jr., Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Michael F. LaFernier, Sr.), MOTION CARRIED.**

- b) Welding Grant – Roger Bogda has been hired to teach welding at OCC.

Welding classes can only be held during the evening and on Saturdays if held at the L’Anse School. Debbie and Roger requested use of the Tubcraft building and will meet with Jason Ayres to tour the building.

c) Community Surveys – OCC is conducting a survey about the College. Debbie handed out surveys to the Council. Surveys are due back by August 31, 2007 and are needed for accreditation.

Break: 10:30 – 10:45 a.m.

Mike LaFerner arrived at 10:44 a.m.

2. Alice Brunk/Robin Chosa/Jason Ayres – Land Lease Issue. Alice is a member of LVD and is trying to buy one of the houses from OHA. Alice and her children are descendants of KBIC. Jason Ayres stated it has been the practice of the Council and the recommendation of the Attorney not to lease land to members of other Tribes. Alice stated that if anything were to happen to her the house would go to Robin Chosa (KBIC Member) because he will look after their children. After discussion, it was decided that Jason will bring a resolution back to the Council for a land lease for Alice and a written policy.

K. Closed Session:

1. Larry Denomie, CEO
2. John Baker, Attorney
3. Susan LaFerner, President

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 11:00 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING – 0, TWO ABSENT (Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.**

(Jennifer Misegan out of the room)

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 11:45 A.M. SUPPORTED BY WARREN D. SWARTZ, JR. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING – 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.**

Grant Specialist-

**MOTION MADE BY JENNIFER MISEGAN TO HIRE JAMES STINGLE AS THE GRANT SPECIALIST AND TO POST A GRANT WRITER POSITION FOR A KBIC MEMBER ONLY. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, William E. Emery, Michael F. LaFerner, Sr., Elizabeth D. Mayo), THREE OPPOSED (Warren C. Swartz, Jr., Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ABSTAINING – 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.**

Lunch: 11:50 a.m. – 1:13 p.m.

**MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 1:14 P.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING – 0, THREE ABSENT (Doreen G. Blaker, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), MOTION CARRIED.**

Mike LaFERNIER and Chiz Matthews returned at 1:30 p.m.

Break: 2:30 – 2:45 p.m.

Gary Loonsfoot left at 2:40 p.m.

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 4:35 P.M. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker), MOTION CARRIED.**

Alice Brunk Land Lease- (KBIC Descendant)

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE RESOLUTION KB-1568-2007 ALICE BRUNK RESIDENTIAL LEASE PENDING OJIBWA HOUSING APPROVAL OF THE SALE OF THE HOME. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Warren C. Swartz, Jr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Toni J. Minton), ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker), MOTION CARRIED.**

Toni Minton stated her opposition: She is opposed because there may have been a Tribal Member that bid or would have bid on that home.

Jason Ayres will talk with Housing on this matter.

**MOTION MADE BY JERRY LEE CURTIS TO APPROVE A WAGE INCREASE TO \$28.00 PER HOUR FOR CHERIE DAKOTA EFFECTIVE TODAY. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Jennifer Misegan), ONE ABSTAINING (Elizabeth D. Mayo), TWO ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker), MOTION CARRIED.**

Jennifer Misegan stated her opposition: She feels \$26.92 was a fair wage for a starting Health Director.

**MOTION MADE BY TONI J. MINTON TO APPROVE A TEMPORARY WAGE INCREASE OF \$1.00 PER HOUR FOR BECKY TUSSING, \$1.50 PER HOUR FOR KATHY MAYO AND \$2.00 PER HOUR FOR MICHELLE ST. GEORGE FOR ADDITIONAL DUTIES UNTIL WE HIRE AN ASSOCIATE HEALTH DIRECTOR, EFFECTIVE TODAY. SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Warren C. Swartz, Jr.), TWO ABSTAINING (Larry J. Denomie III, Elizabeth D. Mayo), TWO ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:42 P.M. SUPPORTED BY WARREN C. SWARTZ, JR. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Recording Secretary