

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – AUGUST 23, 2007 – 8:30 A.M.**

- A. Date: August 23, 2007
- B. Call to Order: President LaFERNIER called the meeting to order at 8:45 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 (arrived at 9:05 a.m., left at 1:14 p.m.)
Toni J. Minton, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary (left at 2:22 p.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Jerry Lee Curtis
William E. Emery
Michael F. LaFERNIER, Sr. (arrived at 8:58 a.m.)
Elizabeth "Chiz" Matthews
Elizabeth D. Mayo (left at 1:13 p.m.)
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 23, 2007
- Additions: FYI- 1. Larry Denomie – Tribal Forester Job Review
New Business- 1. Will Wiggins – Fire Ban and Fire Agreement

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR (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, THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Michael F. LaFERNIER, Sr.), MOTION CARRIED.

G. For your Information:

1. A copy of the Tribal Forester Position Announcement

Larry Denomie introduced the Council to the new Grant Specialist, James Stingle

H. Closed Session:

1. **9:00 a.m. Conference Call – Skip Durocher & Mary Streitz**
2. Terri Denomie, Head Start Director/Todd Warner, NRD – Asbestos Abatement Application
3. Jennifer Misegan, Treasurer – Donations/Other
4. Larry Denomie, CEO
5. Susan J. LaFerner, President
6. John Baker, Attorney

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 8:55 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING – 0, THREE ABSENT (Warren C. Swartz, Jr., Doreen G. Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.

Mike LaFerner arrived at 8:58 a.m.

Chris Swartz arrived at 9:05 a.m.

Break: 9:50 – 10:00 a.m.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO OPEN SESSION AT 11:36 A.M. SUPPORTED BY JENNIFER MISEGAN. 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.

MOTION MADE BY LARRY J. DENOMIE III TO AUTHORIZE THE HEAD START DIRECTOR TO GO FORWARD WITH THE ASBESTOS ABATEMENT PROJECT AND AUTHORIZE THE PRESIDENT TO SIGN CONTRACTS FOR TRIBAL CONSTRUCTION, NORTHWOODS AND L’ANSE FURNITURE MART. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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.

MOTION MADE BY GARY F. LOONSFOOT, SR. THAT THE TRIBE SHALL HAVE EXCLUSIVE SALES OF CIGARETTES AND THAT ALL BUSINESS TOBACCO LICENSES BE NULL AND VOID AS OF SEPTEMBER 1st, 2007. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (Larry J. Denomie III), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO SEEK AN MOU WITH THE STATE OF MICHIGAN REGARDING THE SALE OF TOBACCO PRODUCTS. SUPPORTED BY TONI J. MINTON. 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, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Elizabeth Mayo stated her opposition: She feels an MOU is another word for a tax agreement.

Break: 11:43 – 11:55 a.m.

I. New Business:

1. Will Wiggins/Tom Chosa – Fire Ban and Fire Agreement

MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1569-2007 FOR A BURN BAN ON THE RESERVATION AND THE MARQUETTE TRUST PROPERTY EXCEPT FOR APPROVED CULTURAL FIRE USE. 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), TWO OPPOSED (Warren C. Swartz, Jr., Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Will Wiggins and Tom Chosa recommended to the Council that they continue with a cooperative agreement under the 638 contract instead of contracting under PL638 or entering into a commercial contract for the Firefighters. Will gave the Council “Smokey the Bear” dolls to show their appreciation for all the Council has done for them.

J. Closed Session:

MOTION MADE BY LARRY J. DENOMIE III TO GO INTO CLOSED SESSION AT 12:23 P.M. SUPPORTED BY JENNIFER MISEGAN. 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, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING – 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Elizabeth Mayo left at 1:13 p.m.

Chris Swartz left at 1:14 p.m.

Break: 1:14 – 1:21 p.m.

Larry Denomie left at 1:50 p.m.

MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 2:21 P.M. SUPPORTED BY TONI J. MINTON. 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, ABSTAINING – 0, FOUR ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO RESCIND HIS PREVIOUS MOTION TO HAVE EXCLUSIVE SALES OF TOBACCO. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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, ABSTAINING – 0, FOUR ABSENT (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Gary Loonsfoot left at 2:22 p.m.

K. Adjournment:

MOTION MADE BY TONI J. MINTON TO ADJOURN AT 2:23 P.M. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED – 0, ABSTAINING – 0, FIVE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Larry J. Denomie III, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary