

MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – JUNE 28, 2007 – 9:00 A.M.

- A. Date: June 28, 2007
- B. Call to Order: President LaFernier called the meeting to order at 9:25 a.m.
- C. Invocation: Lord’s Prayer
Opening Prayer in Ojibwa and prayers for the family of Albert Spruce who passed away on June 26, 2007.
- D. Roll Call: Present: Susan J. LaFernier, President
Warren C. Swartz, Jr., Vice-President
Toni J. Minton, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary (arrived at 10:36 a.m. - left at 2:39 p.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Doreen G. Blaker (arrived at 1:08 p.m.)
William E. Emery
Michael F. LaFernier, Sr. (arrived at 10:35 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
- Absent: Jerry Lee Curtis
- E. Declaration of Quorum: President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 28, 2007
- Additions: FYI- 4. Elizabeth Mayo – Clarification on Inter-office Memo
5. Larry Denomie – Draft Copy of Emergency Funding Policy
6. Larry Denomie - Unemployment Rates for the U.P.
7. Susan LaFernier – Memo regarding the Bald Eagle
- Old Business- 1. Sarah Smith – add Construction Contracts

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

G. For your Information:

1. Mikwendaagoziwag Memorial Annual Ceremony on July 25, 2007 in McGregor, Minnesota.
2. A “Thank you” from Jean Jokinen for her interview for the Grant Writer position.
3. VOIGT Task Force Meeting on July 5, 2007 at 10:00 a.m. in Odanah, Wisconsin.
4. Elizabeth Mayo – Concerns regarding the memo informing employees that Susan and Larry will be on vacation next week. Elizabeth wanted to know if Chris Swartz will be in the office to take care of Tribal Business. Chris will be available and Susan and Larry have given their cell-phone numbers for anyone needing to reach them.
5. Larry Denomie – A draft copy of the revised Tribal Emergency Funding Policy was given for review and will be placed on the Agenda for July 12th.
6. Larry Denomie - A copy of the Civilian Labor Force Estimates for the counties in the Upper Peninsula was given.
7. Susan LaFernier – Memo regarding the Bald Eagle - U.S. Fish & Wildlife are expected to have a Decision today if Eagles will be delisted.

H. Approval of Meeting Minutes: 1. May 31, 2007

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MAY 31, 2007 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING – 0, FOUR ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

I. Old Business:

1. Sarah Smith - Ojibwa Senior Center Renovation Bid/Construction Contracts. Sarah is the Project Manager and she is requesting bid approval and additional funds of \$55,507.00 for contingency/other per budget modification form. 3 bids were received.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE LOWEST BID, WHICH IS FROM OJIBWA BUILDERS AND APPROVE THE CONSTRUCTION CONTRACT AS PRESENTED BY THE LEGAL DEPARTMENT AND THE ADDITIONAL FUNDING SHOWN ON THE BUDGET MODIFICATION. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINING (Warren C. Swartz, Jr.), FOUR ABSENT (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

J. New Business:

1. Bob Menard, President of the Michigan Indian Elders Association – Presentation 9:30 - 9:45 a.m. The MIEA began 11 years ago in Lac Vieux Desert. There are 11 out of the 12 Federal Tribes participating. They meet 3 times per year and different Tribes host the meetings each year with 125 to 175 members in attendance. Each Tribe has 2 designated voting members and 2 alternates. The MIEA has a representative on the National Indian Council on Aging and a representative on the State Council on Aging. They have adopted student rewards and distributed \$24,700.00 to students for good grades and attendance. They are a pro-active force both culturally and politically and are working for the benefit of our people.

Tom Chosa questioned the Computer Training for Council – A two-hour training will be scheduled in the afternoon from 3:00 – 5:00 p.m. Peggy will ask Council for tentative dates and schedule with Tom.

Mike LaFernier arrived at 10:35 a.m.

Gary Loonsfoot arrived at 10:36 a.m.

2. Susan LaFernier (Judy Heath was not available) – Resolution KB-1562-2007 – Title IV-B Subpart 1 Child Welfare Services & 2 Promoting Safe and Stable Families FY-2008

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1562-2007 TITLE IV-B SUBPART 1 CHILD WELFARE AND TITLE IV-B SUBPART 2 PROMOTING SAFE & STABLE FAMILIES FOR FISCAL YEAR 2008. 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, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING – 0, TWO ABSENT (Doreen G. Blaker, Jerry Lee Curtis), MOTION CARRIED.

3. John Baker – a) Pete Morin Fireworks Permit Renewal

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE RENEWAL PERMIT FOR PETE MORIN’S FIREWORKS. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ABSTAINING – 0, THREE ABSENT (Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis), MOTION CARRIED.

(Larry Denomie – out of room)

b) Jerry Magnant & Kerry Varline Business License Renewal for J&K Pawn

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE BUSINESS LICENSE RENEWAL FOR JERRY MAGNANT & KERRY VARLINE FOR J&K PAWN. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Jennifer Misegan), ABSTAINING – 0, THREE ABSENT (Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis), MOTION CARRIED.

(Larry Denomie – out of room)

c) Irvin & Gina Smith New Business License Application for Creative Party Rentals

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE NEW BUSINESS LICENSE APPLICATION FOR IRVIN & GINA SMITH FOR CREATIVE PARTY RENTALS. SUPPORTED BY MICHAEL F. LAFERNIER. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING – 0, THREE ABSENT (Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis), MOTION CARRIED.

(Larry Denomie – out of room)

Break: 10:48 – 11:04 a.m.

K. Closed Session:

1. Clayton Ekdahl
2. Patricia Gerard/John Mantila
3. Gina LaBeau/John Mantila
4. Cherie Dakota
5. Susan LaFernier – Service Agreement for DPRA, Inc. [Postponed]
6. Larry Denomie – Renewal Contract for Hannahville (Dietician)
7. Jennifer Misegan – Donations
8. Dottie Pryor – Qubica Scoring System
9. John Baker

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 11:05 A.M. FOR THE ITEMS LISTED. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, William E. Emery, Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING – 0, FOUR ABSENT (Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr.), MOTION CARRIED.

(Larry Denomie and Mike LaFernier – out of room)

Lunch: 11:50 a.m. – 1:08 p.m.

Doreen Blaker arrived at 1:08 p.m.

Break: 2:25 – 2:39 p.m.

Gary Loonsfoot left at 2:39 p.m.

MOTION MADE BY LARRY J. DENOMIE III TO GO INTO OPEN SESSION AT 7:00 P.M. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Warren C. Swartz, Jr.), ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

BIA Roads – Beartown Road Project:

MOTION MADE BY DOREEN G. BLAKER TO ACCEPT THE BID PROPOSAL BETWEEN KBIC AND TRIBAL CONSTRUCTION AND TO AUTHORIZE THE CEO TO SIGN THE CONTRACT. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, TWO ABSTAINING (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO ACCEPT SUBCONTRACTING WITH PAYNE & DOLAN, D&D FENCE & DANIELSON CONTRACTING AND TO AUTHORIZE THE CEO TO SIGN THE CONTRACTS. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, TWO ABSTAINING (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO AMEND HER FIRST MOTION TO SAY PRIME SUBCONTRACT BETWEEN KBIC AND TRIBAL CONSTRUCTION. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, TWO ABSTAINING (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE AGREEMENT BETWEEN KBIC AND HANNAHVILLE FOR DIETICIAN SERVICES FOR WIC. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO PROMOTE CHERIE DAKOTA TO HEALTH ADMINISTRATOR. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

June 2007 Donations – Total \$4425.00

MOTION MADE BY JENNIFER MISEGAN TO APPROVE DONATIONS OF \$250.00 TO TODD PITTSLEY FOR STOCK CAR SPONSORSHIP, \$300.00 TO TASHINA EMERY-KAUPPILA FOR HER INTERNATIONAL CLUB TRIP TO ITALY, \$375.00 FOR ZEBAS FINEST SOFTBALL SPONSORSHIP AND \$3500.00 FOR THE BARAGA COUNTY ATV PLANNING GROUP FOR THE 1ST ANNUAL OJIBWA CASINO BARAGA COUNTY ATV RUN. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED – 0, ONE ABSTAINING (Doreen G. Blaker), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GIVE PEGGY MINTON 22 HOURS OF ANNUAL LEAVE AND REPLACE WITH EDUCATIONAL LEAVE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Warren C. Swartz, Jr.), ONE ABSTAINING (Toni J. Minton), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

Chris Swartz stated his opposition – it is not in line with current policies and he would have allowed Susan LaFernier to transfer 22 hours of her annual leave to Peggy.

MOTION MADE BY JENNIFER MISEGAN TO COMPENSATE FOR DAMAGES TO AN EMPLOYEE’S VEHICLE FROM FALLING SHINGLES AT THE HEALTH CENTER, PENDING THE INSURANCE CLAIM. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Warren C. Swartz, Jr.), ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

Chris Swartz stated his opposition – it was an act of God and we shouldn’t pay for everyone that has a claim.

MOTION MADE BY JENNIFER MISEGAN TO FILE AN APPEAL IN THE BYYKKONEN VS KBIC CASE AND TO DISCONTINUE RANDOM DRUG TESTING OF ALL EMPLOYEES EXCEPT THE TRIBAL POLICE UNTIL THE APPEAL IS DECIDED. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Elizabeth “Chiz” Matthews), ONE OPPOSED (Warren C. Swartz, Jr.), TWO ABSTAINING (Michael F. LaFernier, Sr., Elizabeth D. Mayo), TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN ALL MEETINGS NO LATER THAN 5:30 P.M. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), THREE OPPOSED (Warren C. Swartz, Jr., Toni J. Minton, Michael F. LaFernier, Sr.), ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 7:22 P.M. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING – 0, TWO ABSENT (Gary F. Loonsfoot, Sr., Jerry Lee Curtis), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary