

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – MARCH 26, 2009 – 9:00 A.M.**

- A. Date: March 26, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:06 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary (left 4:32 – 5:07 p.m.)
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer (arrived at 1:42 p.m., left at 4:49 p.m.)
Jerry Lee Curtis
Michael F. LaFernier, Sr. (arrived at 11:25 a.m.)
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
Isabelle Helene Welsh
Absent: Fred Dakota
Elizabeth D. Mayo
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: March 26, 2009
- | | | |
|------------|---------------|---|
| Additions: | Old Business- | 1. Mike LaFernier – Quad-Axle Dump Truck |
| | New Business- | 6. b) President Swartz – Tribal Member Requests
c) President Swartz – Baraga Lumberjack Days Committee |
| Change: | New Business- | 1. b) Larry Denomie – Relocation expense for Dr. Beaufait,
Remove New Building Permit Fees |

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

G. For Your Information:

1. Ottawa National Forest Resource Advisory Committees Seeking Volunteers
2. Keweenaw Bay Ojibwa Housing Community Development Corporation - 2008 Annual Report

[New Business #1 a) and b)]

1. Larry Denomie III, CEO –
 - a) Purchase Request for OSC Tables and Chairs – paid out of General Funds

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE OJIBWA SENIOR CITIZENS REQUEST OF \$18,480.40 AND SHIPPING FOR TABLES, PADS AND CHAIRS TO BE PAID FROM THE GENERAL FUND. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

- b) Relocation expense for Dr. Beaufait (new psychologist at the DHHS clinic that will begin work on May 1st)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE UP TO \$5,000.00 FOR RELOCATION EXPENSES FOR DR. BEAUFAIT, PENDING APPROVAL OF HIS CONTRACT. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

H. Closed Session:

1. Enterprise Employee Appeal of Termination Hearing Case #004-09 – **9:30 a.m.**
2. Enterprise Employee Appeal of Termination Hearing Case #005-09 – **10:30 a.m.**
3. Government Employee Appeal of Termination Hearing Case #006-09 – **11:30 a.m.**
4. Enterprise Employee Grievance Hearing Case #007-09 – **1:30 p.m.** – [rescheduled]
5. Earl Otchigwanigan – Language Program – **2:30 p.m.**

[The following agenda items rescheduled for Monday]

6. Tribal Member Request #KB-09-09
7. Jennifer Misegan, Treasurer – Donations
8. Pauline Spruce, Personnel Director –
 - a) Radio Station GM Position/Posting
 - b) Summer Youth Wages
 - c) Summer Youth Coordinator
 - d) Holidays
9. Larry Denomie III, CEO

10. John Baker, Attorney
11. Warren C. Swartz, Jr., President
12. A copy of a letter from Debra Parrish on an appeal

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO IN TO CLOSED SESSION AT 9:30 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Break: 10:36 – 10:50 a.m.

Mike LaFernier, Sr. arrived at 11:25 a.m.

Lunch: 12:12 – 1:12 p.m.

Jennifer Misegan arrived at 1:42 p.m.

Break: 3:15 – 3:30 p.m.

Toni Minton left at 4:32 p.m.

MOTION MADE BY JERRY LEE CURTIS TO GO IN TO OPEN SESSION AT 4:48 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Jennifer Misegan left at 4:49 p.m.

I. New Business:

2. Dawn Gauthier, Commodity Foods Director – (3) Refrigerated Truck Bids

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE PURCHASE OF A REFRIGERATED TRUCK FROM FREI CHEVROLET IN THE AMOUNT OF \$57,209.00 WITH A 25% MATCH FROM THE TRIBE AND THE BALANCE FROM USDA. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

J. Old Business:

1. Mike F. LaFerner, Sr. – '95 Peterbilt Quad-Axle Dump Truck

MOTION MADE BY WILLIAM E. EMERY TO SEND MIKE LAFERNIER, SR. TO THE AUCTION WITH A LETTER OF CREDIT OF UP TO \$30,000.00 FOR A QUAD AXLE DUMP TRUCK. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Susan J. LaFerner), FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Toni Minton returned at 5:07 p.m.

MOTION MADE BY JERRY LEE CURTIS TO CONDITIONALLY REINSTATE THE EMPLOYEE IN CASE #004-09 PENDING THE SUCCESSFUL COMPLETION OF EAP SERVICES AND THEIR RECOMMENDATIONS AND TO RETURN TO WORK WHEN RECOMMENDED BY EAP OR REFERRING AGENCY. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFerner, Sr.), THREE ABSENT (Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

MOTION MADE BY TONI J. MINTON TO OVERTURN THE TERMINATION DECISION OF THE EMPLOYEE IN CASE #005-09 AND TO REINSTATE THE EMPLOYEE AND AWARD BACK PAY TO THE DATE OF THE TERMINATION. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

MOTION MADE BY JERRY LEE CURTIS TO UPHOLD THE TERMINATION DECISION IN CASE #006-09. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

[The following New Business agenda items rescheduled for Monday]

3. Jennifer Misegan – License Inspection
4. Gail Juntunen, Even Start Director – Even Start Grant
5. John Baker, Attorney – New Business License - Jeff Lamson d/b/a Studio 702

6. Warren C. Swartz, Jr., President –
 - a) Fishing License Transfer Request
 - b) Tribal Member Requests
 - c) Baraga Lumberjack Days Committee

K. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 5:18 P.M. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist