

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – AUGUST 16, 2008 – 9:00 A.M.**

- A. Date: August 16, 2008
[Picture taken with the Disabled American Vets for the van donation]
- B. Call to Order: President Swartz called the meeting to order at 9:07 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
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer (left at 11:25 a.m.)
Larry J. Denomie III, CEO (left at 11:25 a.m.)
Jerry Lee Curtis
Michael F. LaFernier, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Fred Dakota
Absent: Doreen G. Blaker
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: August 16, 2008
Addition: Closed Session- 4. Jennifer Misegan - Donation

MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY JERRY LEE CURTIS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

G. For Your Information:

1. A “Thank you” from the Marquette Senior High School 2008 Project Graduation Committee
2. A “Thank you” from Bay Cliff Health Camp
3. A “Thank you” from the Most Holy Name of Jesus/Blessed Kateri Tekakwitha Parish – Cemetery Expansion Donation
4. A “Thank you” from the Native American Rights Fund
5. High Definition Films-Production Project of a television program on Native American Tribes entitled “The Reservation”
6. A copy of the Gaming Commission Meeting Minutes from 7/08/08 & 7/29/08
7. Wells Fargo Gaming Division Brochure
8. KBIC Clean Sweep – August 16, 2008 (Today) from 8:30 a.m. – Noon - Household Hazardous Waste and Used Pharmaceuticals Collection.
9. KBIC Documentary Project –
 - a) Toni Minton - Cultural Committee Film and Photo Project Update Memo from Gerry Mantila
 - b) Elizabeth Mayo - Chuck Miller Film Production Costs and Employment History Information

H. President’s Report/July 2008 – Oral Report

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE JULY 2008 PRESIDENT’S REPORT. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

I. Vice-President’s Report/July 2008 – available for your review

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE JULY 2008 VICE-PRESIDENT’S REPORT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

J. CEO’s Report/July 2008 – available for your review

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE JULY 2008 CEO’S REPORT. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

K. Secretary's Report/July 2008 – available for your review

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE JULY 2008 SECRETARY'S REPORT. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Post Audits FY 2007-

MOTION MADE BY LARRY J. DENOMIE III TO POST THE FY 2007 AUDITS. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

L. Department Head Reports- June 2008

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE JUNE 2008 DEPARTMENT HEAD REPORTS. SUPPORTED BY ELIZABETH D. MAYO. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

M. Recognize Scheduled Delegation/Individuals:

1. Chairman Jim Felicianno, Representative for DAV - Veteran Van Donation Acceptance – The Marquette Chapter 22 Disabled American Vets will be placing the Tribal emblem and the Tribe's name on the side of the van as a major contributor.

Break: 10:03 – 10:15 a.m.

N. New Business:

1. Toni Minton, Secretary – The 1st Reading of Proposed Ordinance 2008-04 Title 22 Election Ordinance was introduced by Council Member, Toni Minton. President Swartz reviewed the Legislative Process regarding the 1st Reading. The Election Board has worked on these revisions for 1 ½ years.

MOTION MADE BY TONI J. MINTON TO WAIVE THE 1ST READING OF THE PROPOSED ORDINANCE 2008-04. SUPPORTED BY JENNIFER MISEGAN. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

The Council will have an informal review meeting with the Election Board on August 20th and the 2nd Reading will be scheduled for August 28th at 6:00 p.m. in the Chippewa Room.

The Proposed Ordinance will be distributed throughout the reservation and advertisements will go out informing Tribal Members of the 2nd Reading and where copies are available. It will also be placed on the Tribal Website.

2. John Baker, Attorney – (Business) License Renewal – Child Care Facility for the Pre-Primary Education Program

MOTION MADE BY TONI J. MINTON TO APPROVE THE BUSINESS LICENSE FOR THE PRE-PRIMARY EDUCATION PROGRAM. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

O. Closed Session:

1. John Baker, Attorney – Contract
2. Warren C. Swartz, Jr., President – Contracts
3. Larry Denomie, CEO – Contract
4. Jennifer Misegan, Treasurer – Donation

MOTION MADE BY JENNIFER MISEGAN TO GO INTO CLOSED SESSION AT 10:42 A.M. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Jennifer Misegan left at 11:25 a.m.

Larry Denomie left at 11:25 a.m.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 11:34 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker), MOTION CARRIED.

Four Thunders, Rolling Thunder and Summer Cloud Drum Groups for New Day Powwow-

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICE AGREEMENTS WITH FOUR THUNDERS, ROLLING THUNDER AND SUMMER CLOUD DRUMS FOR THE NEW DAY POWWOW. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker), MOTION CARRIED.

Carlson-Loy & Co. Professional Services Agreement- Install an Absorption (Septic) System – Ishpeming Residence per I.H.S. (to reimburse)

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SERVICE AGREEMENT OF CARLSON-LOY AND COMPANY, EFFECTIVE 08/16/08, PENDING MODIFICATIONS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker), MOTION CARRIED.

Fredericks Peebles and Morgan LLP Special Counsel Contract-

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SPECIAL COUNSEL CONTRACT OF FREDERICKS, PEEBLES AND MORGAN LLP, EFFECTIVE JULY 21, 2008. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker), MOTION CARRIED.

P. Adjournment:

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO ADJOURN AT 11:40 A.M. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary