

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
WEDNESDAY – MAY 28, 2008 – 9:00 A.M.**

- A. Date: May 28, 2008
- B. Call to Order: President Swartz called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Susan J. LaFerner, Vice-President (left 10:05 a.m. – 1:08 p.m.)  
Toni J. Minton, Secretary (left 10:05 a.m. – 1:08 p.m.)  
William E. Emery, Assistant Secretary (arrived at 9:48 a.m.)  
Jennifer Misegan, Treasurer (arrived at 1:08 p.m.)  
Larry J. Denomie III, CEO  
Doreen G. Blaker (arrived at 2:04 p.m.)  
Jerry Lee Curtis  
Michael F. LaFerner, Sr. (arrived at 9:28 a.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo (left 10:45 a.m. – 3:06 p.m.)  
Fred Dakota (left 1:45 – 2:17 p.m.)
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: May 28, 2008
- Additions: New Business- 3. b) Warren C. Swartz, Jr. – Baraga Village Request
- Move: Old Business- 1. a) Earl Otchigwanigan Contract to FYI- 1.

**MOTION MADE BY FRED DAKOTA TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ABSTAINING – 0, FOUR ABSENT (William E. Emery, Jennifer Misegan, Doreen G. Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.**

G. For Your Information:

1. Larry Denomie - Earl Otchigwanigan Contract update – He met with Debbie Williamson and Earl and there now may have to be (2) contracts, one for employment and one for the work product he produces. These may be ready for the June 7<sup>th</sup> meeting.

H. Approval of Meeting Minutes:

1. March 20, 2008

**MOTION MADE BY FRED DAKOTA TO APPROVE THE MARCH 20, 2008 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ABSTAINING – 0, FOUR ABSENT (William E. Emery, Jennifer Misegan, Doreen G. Blaker, Michael F. LaFerner, Sr.), MOTION CARRIED.**

**Mike LaFerner arrived at 9:28 a.m.**

2. March 27, 2008

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE MARCH 27, 2008 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ABSTAINING – 0, THREE ABSENT (William E. Emery, Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.**

I. Old Business:

1. Larry J. Denomie III, CEO – a) Wage System Update and Request – He stated that additional time is needed to finish reviewing the job descriptions and may take another 60 days. Larry will bring the wage grid later in the day for Closed Session. He requested that we move forward to adjust employees up to the new starting wage, which has been approved. All new positions would also be posted at the new rate.

**William Emery arrived at 9:48 a.m.**

2. Todd Warner, NRD – Proposal for Spring Cleanup with Tribal Construction. The L’Anse side pickup will be June 9-13 and includes the Village of L’Anse Tribal residents and the Baraga side will be June 16-18. If a Tribal Member misses the one-time pickup dates, they can drop it off themselves at TCC. Todd will advertise the dates and routes in the Sentinel, Gazette and Eagle Radio.

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE SPRING CLEANUP WITH TCC FOR TRIBAL MEMBERS AS PRESENTED BY TODD WARNER WITH THE CHANGES TO INCLUDE THE VILLAGE OF L'ANSE RESIDENTS AND TO INCLUDE A ONE-DAY DROP-OFF AT TCC. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED – 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker), MOTION CARRIED.**

(Larry Denomie out of room)

**Susan LaFernier left at 10:05 a.m.**

**Toni Minton left at 10:05 a.m.**

J. New Business:

1. Todd Warner, NRD – USDA-NRCS/Wildlife Habitat Enhancement Project Proposed Contract Modification for Sand Point Vegetation Planting

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE AN ADDITIONAL \$3,313.00 AS A CONTRACT MODIFICATION FOR SAND POINT VEGETATION PLANTING. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, FOUR ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

2. John Baker, Attorney – a) New Business License for Daniel and Dawn Alexander – d/b/a Alexander's Fresh Fish

**MOTION MADE BY LARRY J. DENOMIE III TO TABLE DUE TO QUESTIONS ON THE LOCATION OF THE BUSINESS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, FOUR ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

- b) New Business License for David Denomie – d/b/a Dash's Taxi

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE BUSINESS LICENSE FOR DAVID DENOMIE DOING BUSINESS AS DASH'S TAXI. SUPPORTED BY JERRY LEE CURTIS. SIX IN FAVOR (William E. Emery, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINED (Larry J. Denomie III), FOUR ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

c) 3-Month Renewal License for Jerry Magnant/Kerry Varline – Fireworks

Ginny Ann Jermac asked to address the Council. She asked if they still owe the Tribe money for the building. President Swartz replied that the issue is in court and the Council is not at liberty to discuss it at this time.

**MOTION MADE BY FRED DAKOTA TO APPROVE THE FIREWORKS RENEWAL LICENSE FOR JERRY MAGNANT AND KERRY VARLINE DOING BUSINESS AS KEWEENAW BAY OUTFITTERS. SUPPORTED BY ELIZABETH D. MAYO. FOUR IN FAVOR (William E. Emery, Jerry Lee Curtis, Elizabeth D. Mayo, Fred Dakota), TWO OPPOSED (Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ABSTAINED - 0, FIVE ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker), MOTION CARRIED.**

(Larry Denomie out of room)

d) Renewal License for Timothy Mayo

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE RENEWAL LICENSE FOR TIMOTHY MAYO DOING BUSINESS AS ALL PURPOSE DRYWALL. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, FOUR ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

3. Warren C. Swartz, Jr., President – a) Clarification on Burial Program & Grave Markers

**MOTION MADE BY LARRY J. DENOMIE III TO ADJUST THE BURIAL PROGRAM GUIDELINES TO ALLOW FOR UNUSED FUNERAL EXPENSES TO BE USED FOR GRAVE MARKERS/HEADSTONES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, FOUR ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

b) Baraga Village Donation Request from Roy Kemppainen, Manager, and Invite to the Michigan Municipal League Region 7 Meeting to take place in Baraga this year on June 4-6.

**MOTION MADE BY WILLIAM E. EMERY TO DONATE \$800.00 TO THE VILLAGE OF BARAGA AND AN APPROPRIATE CASINO PACKAGE FOR PARTICIPANTS. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, FOUR ABSENT (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

4. Larry J. Denomie III, CEO – a) GED/High School Diploma Policy

Agnes Hueckstaedt will be temporarily filling in for Ann Dowd while she is on maternity leave as the cook at the Ojibwa Senior Citizens and does not have a diploma or GED.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE AGNES HUECKSTAEDT AS THE INTERIM COOK FOR THE OJIBWA SENIOR CITIZENS AT THE WAGE OF \$10.00 AN HOUR. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, FOUR ABSENT (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

b) Department of Corrections Work Crew Contract

Larry Denomie will work out details of this contract with the Warden due to problems in the wording and bring it back to the Council at the June 7<sup>th</sup>, 2008 Meeting. It is the consensus of the Council to keep the work crew segregated from the kids.

c) Personnel Policy Addition to Section 3.5 Safety – Employees must refrain from having distractions in their work areas for extended periods of time.

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE ADDITION TO THE PERSONNEL POLICY MANUAL, SECTION 3.5, SAFETY. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ONE ABSTAINED (Elizabeth “Chiz” Matthews), FOUR ABSENT (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Doreen Blaker), MOTION CARRIED.**

**Elizabeth Mayo left at 10:45 a.m.**

K. Closed Session:

1. Jerry Lee Curtis – New Day Budget
2. Jennifer Misegan, Treasurer - a) Resolution KB-1613-2008 Baraga 2%  
b) Resolution KB-1614-2008 Marquette 2%  
c) Donations
3. John Baker, Attorney
4. Larry Denomie, CEO
5. Warren C. Swartz, Jr., President

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 10:46 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FIVE IN FAVOR (William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Fred Dakota), ABSTAINED - 0, FIVE ABSENT (Susan J. LaFERNIER, Toni J. Minton, Jennifer Misegan, Doreen Blaker, Elizabeth D. Mayo), MOTION CARRIED.**

**Break: 10:47 – 10:58 a.m.**

**Lunch: 12:00 – 1:08 p.m.**

**Toni Minton returned at 1:08 p.m.**

**Susan LaFernier returned at 1:08 p.m.**

**Jennifer Misegan arrived at 1:08 p.m.**

**Fred Dakota left 1:45 – 2:17 p.m.**

**Doreen Blaker arrived at 2:04 p.m.**

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO OPEN SESSION AT 2:42 P.M. SUPPORTED BY FRED DAKOTA. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

Marquette 2% Resolution KB-1614-2008-

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-1614-2008. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

Baraga 2% Resolution KB-1613-2008-

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE RESOLUTION KB-1613-2008. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

Donations for May 2008-

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FOLLOWING DONATIONS FOR MAY 2008: \$300.00 FOR JESSICA KOSKI, \$5000.00 FOR RELAY FOR LIFE, \$250.00 EACH FOR PITTSLEY RACING AND LORI AND BILL MUHLIG, AND \$100.00 TO RICHMOND TOWNSHIP FOR THE ANNUAL FISHING DERBY. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE UP TO \$2000.00 FOR A STORAGE SHED FOR THE USDA OFFICE IN THE INDUSTRIAL PARK AND TO HAVE TRIBAL CONSTRUCTION DESIGN AND BUILD THE STRUCTURE. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (William E. Emery, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, FOUR ABSTAINED (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Michael F. LaFernier, Sr.), ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

**MOTION MADE BY DOREEN G. BLAKER TO GO INTO CLOSED SESSION AT 2:47 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), TWO OPPOSED (Michael F. LaFernier, Sr., Fred Dakota), ABSTAINED - 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.**

**Break: 2:50 – 3:06 p.m.**

**Elizabeth Mayo returned at 3:06 p.m.**

**MOTION MADE BY DOREEN G. BLAKER TO GO INTO OPEN SESSION AT 3:36 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ABSENT - 0, MOTION CARRIED.**

**New Day Budget FY-2008-**

**MOTION MADE BY FRED DAKOTA TO APPROVE THE NEW DAY BUDGET FOR FUNDS 600, 615 AND 08-20-231 WITH RECOMMENDATIONS TO DEAL WITH THE DRUG PROBLEMS ON THE RESERVATION AND TO APPROVE LOOKING FOR GRANTS. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. FIVE IN FAVOR (William E. Emery, Larry J. Denomie III, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, SIX ABSTAINED (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Doreen Blaker, Jerry Lee Curtis, Elizabeth D. Mayo), ABSENT - 0, MOTION CARRIED.**

**Wage Compensation Structure-**

**MOTION MADE BY DOREEN G. BLAKER TO ADJUST, THROUGH GRADE SIX, TO THE NEW MINIMUM WAGES, APPROVED BY THE COUNCIL ON DECEMBER 6, 2007. SUPPORTED BY ELIZABETH D. MAYO. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ABSENT - 0, MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY FRED DAKOTA TO ADJOURN AT 3:40 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ABSENT - 0, MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Recording Secretary