

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – OCTOBER 8, 2009 – 9:00 A.M.**

- A. Date: October 8, 2009
- B. Call to Order: Vice President LaFernier called the meeting to order at 9:18 a.m.
- C. Invocation: Lord’s Prayer and prayers for the family of SPC Christopher T. Griffin of Kincheloe, MI, a Sault Tribe member who was killed last weekend in Afghanistan and for Molly Loonsfoot who is in the hospital and also for Mytle Tolonen who is having surgery tomorrow.
- D. Roll Call: Present: Warren C. Swartz, Jr., President (arrived at 9:21 a.m.)  
Susan J. LaFernier, Vice President  
William E. Emery, Assistant Secretary  
Jennifer Misegan, Treasurer  
Fred Dakota  
Gary F. Loonsfoot, Sr. (arrived at 10:58 a.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo  
Isabelle Helene Welsh  
Absent: Toni J. Minton, Secretary  
Jerry Lee Curtis  
Michael F. LaFernier, Sr.
- E. Declaration of Quorum: Vice President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: October 8, 2009
- |            |                 |  |
|------------|-----------------|--|
| Additions: | FYI-            | 2. Susan LaFernier – Invite to Luncheon at the Lakeside October 12 <sup>th</sup> at noon to discuss uses for the old Winkler Nursing Home Building |
|            |                 | 3. Barbara Knipp Request Reimbursement Amount  |
|            | Closed Session- | 3. Larry Denomie – Lauri Denomie Newsletter Contract   |
| Deletion:  | Closed Session- | 1. Jennifer Misegan, Treasurer   |

**President Swartz arrived at 9:21 a.m.**

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

G. For Your Information:

1. KBIC Even Start Invite to Celebrate Phase 2 “Dream Catcher Project” and newly remodeled Family Activity Center October 15<sup>th</sup>
2. Invite to Luncheon at the Lakeside on October 12<sup>th</sup> at noon to discuss uses for the Old Winkler Nursing Home Building with Joseph O’Leary, Chair of the County Committee on Buildings/Use
3. Barbara Knipp Request Reimbursement Amount - 10/1/09 Motion Clarification - There was a duplicate bill submitted for June and the total amount Barbara received was \$207.00 versus \$264.50

H. Approval of Meeting Minutes:

1. June 12, 2009

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE JUNE 12, 2009 MEETING MINUTES. SUPPORTED BY ISABELLE H. WELSH. SIX IN FAVOR (Susan J. LaFerner, William E. Emery, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

I. Old Business:

1. President Swartz –
  - a) Carole Koski Septic Repair Invoice for \$387.50 - Additional \$87.50 due (see 6/12/09 motion)

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE \$87.50 ADDITIONAL COST FOR CAROLE KOSKI’S REPAIR WORK TO SEPTIC. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

- b) Donation Request from I.T.C. for \$5,000.00 from each Tribe to Defray the Costs of administering the Tuition Waiver and Child Care Programs

**MOTION MADE BY JENNIFER MISEGAN TO DENY THE REQUEST FROM I.T.C. FOR A DONATION OF \$5,000.00. SUPPORTED BY ELIZABETH D. MAYO. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

2. Elizabeth Mayo – Carved KBIC Logo Invoice (12 large and 36 small) from Lohmann Wood Carving Company in Covington, MI

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE \$17,400.00 FOR WOOD CARVED KBIC LOGOS TO LOHMANN WOODCARVING COMPANY TO BE PAID IN INSTALLMENTS OF 1/3 DOWN, 1/3 AS A PROGRESS PAYMENT AND 1/3 FOR FINAL PAYMENT. SUPPORTED BY SUSAN J. LAFERNIER. SIX IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Elizabeth “Chiz” Matthews), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Elizabeth Matthews stated her opposition: She would have liked to have a Native American do the work.

J. New Business:

1. President Swartz - Diane Waara Donation Request for \$3,615.00 to attend the Main Street School of Cosmetology in Ishpeming for manicuring

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 9:48 A.M. SUPPORTED BY JENNIFER MISEGAN. FIVE IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 10:00 A.M. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**MOTION MADE BY ELIZABETH D. MAYO TO DENY THE REQUEST FROM DIANE WAARA TO ATTEND COSMETOLOGY SCHOOL IN THE AMOUNT OF \$3,615.00. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

The President’s office will send a letter referring Diane to Robin Chosa, TERO Director and to the OHA Education Stipend Program.

2. Lori LaFerner – Donation Request \$5,000.00 for Expenses for her Taxi Service Business - LL Lynx Transport

President Swartz will contact Dave Vlahos at Superior National Bank regarding the Tribe’s Guaranteed Loan Program and ask him to contact Lori.

**Break: 10:31 – 10:40 a.m.**

3. Jason Ayres, Realty Officer –
  - a) Resolution KB-1714-2009 Robert D. Curtis, Jr. and Helen M. Jondreau Residential Lease

**MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1714-2009 ROBERT D. CURTIS, JR. AND HELEN M. JONDREAU RESIDENTIAL LEASE. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

- b) Resolution KB-1715-2009 Bobbi J. Loonsfoot Residential Lease

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1715-2009 BOBBI J. LOONSFOOT RESIDENTIAL LEASE. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

4. Larry Denomie III, CEO –
  - a) Job Reclassification Policy Concerns

**Gary Loonsfoot, Sr. arrived at 10:58 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO CHANGE THE JOB RECLASSIFICATION POLICY IN THE FOLLOWING AREAS: SECTION 1.0 #3, 1.0 #3-c, 2.0 #3, 2.0 #3-c, REPLACING THE WORD *DETERMINATION(S)* WITH *RECOMMENDATION(S)* AND REMOVE THE LAST SENTENCE FROM 1.0 #3-d AND 2.0 #3-d WHICH READS, "HOWEVER, CHANGES TO JOB TITLES OR JOB DESCRIPTIONS, WHICH DO NOT RESULT IN PAY GRADE CHANGES, WILL NOT INCREASE OR DECREASE AN EMPLOYEE'S PAY RATE," AND ADD, "AND/OR PAY GRADE" AT THE END OF THE FIRST SENTENCE AND REPLACE THE SECOND BULLET UNDER TRIBAL COUNCIL AMENDMENTS OF JUNE 4, 2004 TO READ "JOB RECLASSIFICATION PAY INCREASES OCCUR AFTER THE FINAL APPROVAL OF THE RECLASSIFICATION FOR DEPARTMENT HEADS AND EMPLOYEES." SUPPORTED BY JENNIFER MISEGAN. SIX IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Gary F. Loonsfoot, Sr.), FOUR ABSENT (Toni J. Minton, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr.), MOTION CARRIED.**

(Fred Dakota out of the room)

b) Policy on Christmas Holiday Date

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE DECEMBER 24, 25, 28, 31 AND JANUARY 1 AS THE 2009-2010 HOLIDAYS FOR THE GOVERNMENT EMPLOYEES, WITH THE 28<sup>TH</sup> BEING THE DAY OBSERVED AS THE DAY FOLLOWING CHRISTMAS FOR THOSE EMPLOYEES WHO DO NOT WORK ON THE WEEKENDS. SUPPORTED BY FRED DAKOTA. SIX IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Gary F. Loonsfoot, Sr.), ONE ABSTAINING (William E. Emery), THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

K. Closed Session:

1. John Baker, Attorney
2. Larry Denomie III, CEO - Lauri Denomie Newsletter Independent Contractor Agreement
3. Warren C. Swartz, Jr., President – Emergency Funding Policy

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 11:26 A.M. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (Susan J. LaFerner, William E. Emery, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, FOUR ABSENT (Toni J. Minton, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

(Jennifer Misegan out of the room)

**MOTION MADE BY WILLIAM E. EMERY TO GO INTO OPEN SESSION AT 12:29 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

Emergency Funding Policy Amendment -

**MOTION MADE BY JENNIFER MISEGAN TO INCLUDE STEPPARENTS IN THE EMERGENCY FUNDING POLICY. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

Lauri Denomie Newsletter Independent Contractor Agreement -

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE LAURI DENOMIE’S CONTRACT FOR THE COMMUNITY’S NEWSLETTER. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

L. Adjournment:

**MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 12:30 P.M. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, Jerry Lee Curtis, Michael F. LaFerner, Sr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist