

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – NOVEMBER 8, 2007 – 9:00 A.M.**

- A. Date: November 8, 2007
- B. Call to Order: President LaFernier called the meeting to order at 9:20 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Susan J. LaFernier, President
Warren C. Swartz, Jr., Vice-Pres (arrived at 9:57 a.m., left at 4:30 p.m.)
Toni J. Minton, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary (left at 2:42 p.m.)
Jennifer Misegan, Treasurer (arrived at 9:54 a.m., left 1:55 – 3:28 p.m.)
Larry J. Denomie III, CEO
Doreen G. Blaker (arrived at 1:14 p.m.)
Jerry Lee Curtis
William E. Emery
Michael F. LaFernier, Sr. (arrived at 9:29 a.m., left 1:13 – 1:34 p.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (arrived at 9:31 a.m.)
- E. Declaration of Quorum: President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 8, 2007
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| Additions: | FYI- | 1. Gidakiiminaan (Our Earth) Atlas – Jim St. Arnold |
| | New Business- | 4. David Osmak – TSI Selections |
| | Closed Session- | 8. Jason Ayres – FIA Building |
- Jason Ayres, under New Business, will be moved to after Closed Session.

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

G. For Your Information:

1. Gidakiiminaan (Our Earth) – Jim St. Arnold’s An Anishinaabe Atlas of the 1836, 1837, and 1842 Treaty Ceded Territories, a language CD, (were given to each Council member) and two maps were presented. Susan invited him to do a presentation at the December 1st Council meeting.

Mike LaFernier arrived at 9:29 a.m.

H. Approval of Meeting Minutes:

1. October 1, 2007

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE OCTOBER 1, 2007 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY GARY F. LOONSFOOT, SR. SIX IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews), OPPOSED – 0, ONE ABSTAINING (Michael F. LaFernier, Sr.), FOUR ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Doreen G. Blaker, Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Mayo arrived at 9:31 a.m.

I. New Business:

1. Wanda Seppanen/Matt Shalifoe – Resolution KB-1588-2007 – KBIC Indian Child Welfare/Justice Committee By-Laws

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1588-2007 AND THE KBIC INDIAN CHILD WELFARE ACT/JUSTICE COMMITTEE BY-LAWS. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.

2. Gerry Cadeau/John Mantila – Participation Game Slot Removal and Install (to remove 4 Atronic and 7 IGT slot machines and replace with 11 IGT slot machines), which was approved by the Gaming Commission on October 23, 2007.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE PARTICIPATION GAME REMOVAL AND INSTALLS FOR THE BARAGA CASINO TO REMOVE ELEVEN GAMES AND TO INSTALL ELEVEN IGT GAMES AS PRESENTED. SUPPORTED BY GARY F. LOONSFOOT, SR. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.

[Move #3. – to after the Closed Session]

3. Jason Ayres –
 - a) Resolution KB-1581-2007 – Joyce Field Recreational Lease
 - b) Resolution KB-1582-2007 – Donald Messer Residential Lease
 - c) Resolution KB-1583-2007 – Jennifer Heath Residential Lease
 - d) Resolution KB-1587-2007 – Sally B. Michaelson Recreational Lease
4. David Osmak, BIA Forestry – a) TSI Selections

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE 15 SELECTED FOR TSI AND ALSO THE 5 ALTERNATES PER THE RECOMMENDATION OF THE NATURAL RESOURCE COMMITTEE. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Jennifer Misegan, Doreen G. Blaker), MOTION CARRIED.

Jennifer Misegan arrived at 9:54 a.m.

Chris Swartz arrived at 9:57 a.m.

- b) Request for transfer of \$10,000.00 additional money from BIA (638 Contract) from non-recurring funds

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE LETTER TO GERALD PARISH TO ALLOCATE \$10,000.00 ADDITIONAL FUNDS FOR THE TSI CONTRACT. SUPPORTED BY LARRY J. DENOMIE III. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Warren C. Swartz, Jr., Jennifer Misegan), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

c) Timber Marking Workshop – This training would be on the Herman Road for the forestry staffs in our region. The staff will do the marking.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE TIMBER MARKING WORKSHOP. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

J. Old Business:

1. **3rd Reading** – Substitute Child Support/Paternity Ordinance 2007-003 – John Baker/Tami Lorbecke Review. Susan LaFernier read the Ordinance Process regarding the 3rd Reading.

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE 3RD READING AS PRESENTED. MOTION DIED FOR LACK OF SUPPORT.

MOTION MADE BY JENNIFER MISEGAN TO ADOPT THE CHILD SUPPORT/PATERNITY ORDINANCE 2007-003. SUPPORTED BY TONI J. MINTON. (Vote was taken after the amendment motion)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AMENDMENT SUBSTITUTE FOR PROPOSED CHILD SUPPORT/PATERNITY ORDINANCE 2007-003. SUPPORTED BY TONI J. MINTON.

MOTION MADE BY WARREN C. SWARTZ, JR. TO TABLE. MOTION DIED FOR LACK OF SUPPORT.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AMENDMENT SUBSTITUTE FOR PROPOSED CHILD SUPPORT/PATERNITY ORDINANCE 2007-003. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Warren C. Swartz, Jr.), ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Chris Swartz stated his opposition: He hasn't had adequate time to review the substitute proposed by Council member Jennifer Misegan in a timely fashion.

MOTION MADE BY JENNIFER MISEGAN TO ADOPT THE CHILD SUPPORT/PATERNITY ORDINANCE 2007-003. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Warren C. Swartz, Jr.), ONE ABSTAINING (Michael F. LaFernier, Sr.), ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Break: 10:35 – 10:55 a.m.

K. Closed Session:

1. OCC Staff Meeting
2. **1:00 p.m. Hearing - Case # 005-07**
3. John Mantila/Maria Zelinski/Michelle Schjoth – OPUS Web Technologies Contract
4. Todd Warner, NRD/John Baker, Attorney – Contracts/Service Agreements
5. Jennifer Misegan, Treasurer – Budget Items
6. Susan LaFernier, President
7. Larry Denomie, CEO
8. Jason Ayres/Francis LaPointe – FIA Building

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 10:56 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Doreen G. Blaker), MOTION CARRIED.

Lunch: 11:53 a.m. – 1:13 p.m.

Doreen Blaker arrived at 1:14 p.m.

Mike LaFernier returned from lunch at 1:34 p.m.

Jennifer Misegan left 1:55 – 3:28 p.m.

Gary Loonsfoot left at 2:42 p.m.

Break: 4:00 – 4:05 p.m.

Chris Swartz left at 4:30 p.m.

MOTION MADE BY TONI J. MINTON TO GO INTO OPEN SESSION AT 5:19 P.M. SUPPORTED BY DOREEN G. BLAKER. NINE IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE SERVICES AGREEMENT BETWEEN KBIC AND OPUS WEB TECHNOLOGIES AND HAVE THE CHAIR SIGN THE AGREEMENT FOR ONLINE LODGING RESERVATION SERVICES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE CONSTRUCTION CONTRACT BETWEEN KBIC AND HAATAJA TRUCK’N FOR THE PEQUAMING SEWER/WATER EXTENSION PROJECT. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Toni J. Minton, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE RESOLUTION KB-1581-2007 JOYCE FIELD RECREATIONAL LEASE, KB-1582-2007 DONALD MESSER, JR. RESIDENTIAL LEASE, KB-1583-2007 JENNIFER HEATH RESIDENTIAL LEASE, AND KB-1587-2007 SALLY MICHAELSON RECREATIONAL LEASE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

United Tribes of MI – Contribution of \$5,000.00 over a period of five years which is October 1 of each year-

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1590-2007 UNITED TRIBES OF MICHIGAN MEMBERSHIP. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE SERVICES AGREEMENTS WITH BARBARA NOLAN AND RHONDA HOPKINS FOR THE IMMERSION PROGRAM. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Toni J. Minton, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE A DONATION OF \$1,300.00 TO BRIAN RANTANEN FOR RELOCATION EXPENSES FOR IRONWORKING APPRENTICESHIP. SUPPORTED BY WILLIAM E. EMERY. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), OPPOSED - 0, ONE ABSTAINING (Elizabeth D. Mayo), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO SUSPEND THE COMMISSIONER IN CASE #005-07 FOR TWO WEEKS, NOVEMBER 11TH – 24TH. SUPPORTED BY TONI J. MINTON. FIVE IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, William E. Emery, Elizabeth D. Mayo), THREE OPPOSED (Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ONE ABSTAINING (Michael F. LaFernier, Sr.), TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Jerry Lee Curtis stated his opposition: He feels it’s too severe. His inclination would be to give a letter of reprimand.

L. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 5:28 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. NINE IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary