

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – JULY 12, 2008 – 9:00 A.M.**

- A. Date: July 12, 2008
- B. Call to Order: President Swartz called the meeting to order at 9:01 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
Larry J. Denomie III, CEO
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: July 12, 2008

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE AGENDA. 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.

G. For Your Information:

1. A “Thank you” from the family of Ed Stimac
2. A “Thank you” and a Newsletter from the Upper Peninsula Children’s Museum
3. A “Thank you” from the Native American Rights Fund for the contribution
4. A “Thank you” from the Upper Peninsula Substance Enforcement Team for the 2% contribution
5. A “Thank you” from the L’Anse High School Class/Parent Committee of 2008 for the donation to the Senior Lock-In Party
6. A “Thank you” from the Village of Baraga for the MML Region 7 contribution
7. A “Thank you” from the Carl Levin re-election campaign for the contribution
8. A “Thank you” from the Charter Township of Chocolay for the 2% contribution
9. A “Thank you” from the Forsyth Township Council for the 2% contribution
10. A “Thank you” from the Title VII Native American Education Program Marquette Area Public Schools for the 2% contribution
11. A “Thank you” from the Four Thunders Drum Group for the sponsorship to go to Standish, MI
12. B.C.C.F. Denise Marth Memorial Family Fun Run – July 19th – 9:00 am to 1:00 pm at the Whirl-I-Gig

H. Approval of Meeting Minutes:

1. April 5, 2008 (tabled on 06/26/08)

Elizabeth Mayo stated for the record that on page 3 her intention was for the Community and “I’m” should have been stated as “We’re.”

MOTION MADE BY TONI J. MINTON TO APPROVE THE APRIL 5, 2008 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

2. April 10, 2008 (tabled on 06/26/08)

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE APRIL 10, 2008 MEETING MINUTES UNTIL THE ENTIRE COUNCIL IS ABLE TO LISTEN TO THE TAPE REGARDING THE BUILDING INSPECTOR ISSUES. SUPPORTED BY SUSAN J. LAFERNIER. 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.

3. May 3, 2008

MOTION MADE BY FRED DAKOTA TO APPROVE THE MAY 3, 2008 MEETING MINUTES WITH THE CHANGE. 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.

4. May 8, 2008

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MAY 8, 2008 MEETING MINUTES. 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.

5. May 9, 2008

MOTION MADE BY FRED DAKOTA TO APPROVE THE MAY 9, 2008 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. 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.

I. President’s Report/June 2008 – available for your review

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE 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.

J. Vice-President’s Report/June 2008 – available for your review

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE VICE-PRESIDENT’S REPORT. SUPPORTED BY ELIZABETH D. MAYO. 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. CEO's Report/June 2008 – available for your review

MOTION MADE BY FRED DAKOTA TO APPROVE THE CEO'S REPORT. 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. Secretary's Report/June 2008 – available for your review

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE SECRETARY'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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.

M. Treasurer's Report/June 2008 – available for your review

MOTION MADE BY TONI J. MINTON TO APPROVE THE TREASURER'S REPORT. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. 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), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

(Fred Dakota out of room)

N. Department Head Reports- May 2008

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE DEPARTMENT HEAD REPORTS FOR MAY 2008. SUPPORTED BY TONI J. MINTON. 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), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Doreen G. Blaker, Fred Dakota), MOTION CARRIED.

(Fred Dakota out of room)

Break: 10:12 – 10:29 a.m.

O. Recognize Scheduled Delegation/Individuals:

1. Charlene Kangas – Baraga County Shelter Home Request (see handout) - Charlene requested \$50,000.00 for an addition to the present shelter home. MSHDA would then match up to

\$100,000.00. The funds are needed by October 1st. She stated that 56% of the clients are Native American and 40% of the staff and Board of Directors are Native American. The Council suggested it may be considered under the 2% distributions and a letter was requested.

2. Ken Marshall, Western U.P. Planning Region –
 - a) GIS National Mapping Project – This would provide a parcel-mapping viewer tool. He would like to post the following links on the Tribal website: Kmarshall@wupldr.org www.wupldr.org
 - b) Keweenaw Bay Rapid Watershed Assessment Project – In the fall of 2007, KBIC and various other area departments began a year-long project to assess the natural resource concerns of all the watersheds that originate and flow across the KBIC Reservation. Ken would like to distribute a survey to the Tribal Members. He will provide the surveys to Jennifer Misegan, who will mail them out to the members. A public meeting will be held on August 12th.
3. Barbara Bradley – The first “Protect the Earth Summit” Presentation will be on Saturday, August 2nd at NMU and Sunday August 3rd at Eagle Rock. She is requesting to have an educational stand for the powwow on sulfide mining. The Council directed her to speak with the Powwow Committee.
4. Isadore “Blue” Misegan/KBIC Veterans – New D.A.V. (Jacobetti) Van Request
Letters were received from James Loonsfoot and Jim Feliciano requesting a new 2008 van for transports. \$8,000.00 has been raised. The Council will take this into consideration at the July Donation Meeting.

Break: 11:45 – 11:54 a.m.

P. New Business:

1. Denise Cadeau, House Manager - New Day Programs Policies – These are needed for CARF accreditation. Copies of (4) for Emergencies and (1) for Technology were given to the Council for review and approval at a later date.
2. Warren C. Swartz, Jr., President – Ojibwa Senior Center/Community Center – A resolution was presented from the Seniors to request an Alcohol and Smoke Free Facility.

MOTION MADE BY JENNIFER MISEGAN TO HONOR THE REQUEST OF THE OJIBWA SENIOR CITIZENS RESOLUTION FOR THE CENTER TO BE ALCOHOL AND SMOKE-FREE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. 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), ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

3. Jennifer Misegan, Treasurer –

- a) Request to Add Tami Lorbecke to the Child Support Checking Account

MOTION MADE BY JENNIFER MISEGAN TO ADD TAMI LORBECKE, DIRECTOR OF THE CHILD SUPPORT OFFICE, TO THE SIGNATURE CARD OF THE CHILD SUPPORT CHECKING ACCOUNT. SUPPORTED BY SUSAN J. LAFERNIER. 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, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

- b) Proposed Ordinance 2008-02 – 1st Reading Title 21B Tobacco Ordinance of 2008 was introduced by Council Member, Jennifer Misegan.

President Swartz read the Legislative Process regarding the 1st Reading. Jennifer Misegan read the proposed Ordinance. The 2nd Reading, the Public Hearing, will be scheduled at the OCC Gym. A date will be set at the next Council Meeting.

- c) Proposed Ordinance – Title 1 Ethics in Government Code – Jennifer stated this is for information only; it is not ready to be introduced at this time. The Council may need to meet with Gary Montana for review.

4. Susan LaFernier, Vice-President – Proposed Ordinance 2008-03 – 1st Reading Amendments to Title One – relating to the Appellate Division of the Tribal Court – to repeal existing 1.114 Composition of Appellate Court and 1.115 Appellate Procedures was introduced by Council Member, Susan LaFernier.

MOTION MADE BY FRED DAKOTA TO WAIVE THE FIRST READING OF PROPOSED ORDINANCE 2008-03. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), ONE OPPOSED (Jennifer Misegan), ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

5. John Baker, Attorney – New Business License – Todd Chosa - T.C. Electric

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE TODD CHOSA’S BUSINESS LICENSE DOING BUSINESS AS T.C. ELECTRIC. 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, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

6. Jason Ayres [Not Present] – Resolution KB-1619-2008 Shawn Seppanen/Evelyn Hebert Residential Lease and cancels sellers lease K-165(97)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE RESOLUTION KB-1619-2008 A RESIDENTIAL LEASE FOR SHAWN SEPPANEN AND EVELYN HEBERT. SUPPORTED BY TONI J. MINTON. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

Q. Closed Session:

1. Joe Constance – Review of Supervisory Skills Certification Program Training Report
2. Warren C. Swartz, Jr., President
3. Larry Denomie, CEO
4. John Baker, Attorney

MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION AT 12:43 P.M. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 1:50 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

R. Adjournment:

MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 1:52 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINED - 0, ONE ABSENT (Doreen Blaker), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary