

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
REGULAR TRIBAL COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
SATURDAY – APRIL 4, 2009 – 9:00 A.M.**

- A. Date: April 4, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:08 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Susan J. LaFerner, Vice-President  
Toni J. Minton, Secretary  
William E. Emery, Assistant Secretary  
Jennifer Misegan, Treasurer  
Jerry Lee Curtis  
Fred Dakota  
Michael F. LaFerner, Sr.  
Gary F. Loonsfoot, Sr.  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo  
Isabelle Helene Welsh
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: April 4, 2009
- |            |               |  |
|------------|---------------|--|
| Deletion:  | New Business- | 4. Gary Loonsfoot, Jr. – Move to FYI #13.  |
| Additions: | New Business- | 4. Gary Loonsfoot, Sr. – Proposed Amendment to OHA Ordinance – 1 <sup>st</sup> Reading |

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

G. For Your Information:

1. A "Thank you" from the Mackinac Bands of Chippewa and Ottawa Indians for the letter of support for their recognition.
2. A "Thank you" from Cheryne and Brigitte LaPointe (Travel funds)
3. A "Thank you" from the Baraga Booster Club
4. A "Thank you" from Louella Wood
5. A "Thank you" from Terri Denomie
6. A "Thank you" from the American Cancer Society – Gift of \$1,000.00
7. A "Thank you" from the BHK Child Development Board – Gift of \$100.00
8. A "Thank you" from Angela Salbashian
9. A copy of a letter from the United States Department of the Interior Fish and Wildlife Service – Aerial Surveys for bald eagles
10. An invite to the Stakeholders Meeting on April 7, 2009 with the Accreditation Team
11. A copy of the Gaming Commission Meeting Minutes from 02/24/09 and 03/10/09
12. Notification of Approved Enrollment Applications (9)
13. Gary Loonsfoot, Jr., Language Coordinator – "Older Than America" Film Presentation at NMU Request
14. Written Comment submitted by Pauline Spruce for Ethics Code Ordinance
15. Eddy Edwards, Director of Ojibwa Housing Authority – Excerpt from Rodger Boyd's testimony before the Senate Select Committee on Indian Affairs, July 19, 2007 regarding economic development, Deputy Assistant Secretary of Housing Urban Development of Indian Programs in Washington D.C.

H. Approval of Meeting Minutes:

1. April 15, 2006

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE APRIL 15, 2006 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, FOUR ABSTAINING (Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Isabelle H. Welsh), ABSENT - 0, MOTION CARRIED.**

2. April 18, 2006

**MOTION MADE BY FRED DAKOTA TO APPROVE THE APRIL 18, 2006 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, THREE ABSTAINING (Jennifer Misegan, Jerry Lee Curtis, Isabelle H. Welsh), ABSENT - 0, MOTION CARRIED.**

3. November 24, 2008

**MOTION MADE BY TONI J. MINTON TO APPROVE THE NOVEMBER 24, 2008 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, FOUR ABSTAINING (Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ABSENT - 0, MOTION CARRIED.**

I. President’s Report/March 2009 – Verbal Report

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE PRESIDENT’S REPORT FOR MARCH 2009. SUPPORTED BY WILLIAM E. EMERY. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

J. Vice-President’s Report/March 2009 – available for your review

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE VICE-PRESIDENT’S REPORT FOR MARCH 2009. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Derek “Deve” Sever – Closed Session item #2.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 9:56 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Break: 9:57 – 10:05 a.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 10:32 A.M. SUPPORTED BY JENNIFER MISEGAN. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Break: 10:33 – 10:39 a.m.**

K. Secretary's Report/March 2009 – available for your review

**MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE SECRETARY’S REPORT FOR MARCH 2009. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

L. Treasurer's Report/March 2009 – available for your review

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE TREASURER’S REPORT FOR MARCH 2009. SUPPORTED BY TONI J. MINTON. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

M. Larry J. Denomie III, CEO's Report/March 2009 – available for your review [Also available on [ojibwa.com](http://ojibwa.com)]

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE CEO’S REPORT FOR MARCH 2009. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

N. Department Head Reports – February 2009

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE DEPARTMENT HEAD REPORTS FOR FEBRUARY 2009. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Michael F. LaFerner, Sr.), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Mike LaFerner, Sr. stated his opposition: He is opposed because not everyone turned one in.

O. Old Business:

1. Debbie Parrish - OCC Self Study Report

Debbie gave a brief overview of the process of the accreditation and the progress. A review team will be coming on Monday - Wednesday April 6-8 at OCC. Anyone interested in attending the meetings should let Peggy Minton know by Monday morning and she will inform Debbie.

2. Elizabeth Mayo – Community Concerns on OHA’s Recent Purchases of the BP Carwash, Laundromat and Gas Station.

Elizabeth Mayo read a letter to the Council of her concerns.

**MOTION MADE BY ELIZABETH D. MAYO TO DENY THE OJIBWA HOUSING AUTHORITY A BUSINESS LICENSE TO OPERATE.**

President Swartz called the motion out of order.

P. New Business:

1. Larry Denomie III, CEO – Schedule Enterprise Employee Grievance Hearing Case #008-09

The Hearing was scheduled for Friday, April 17, 2009 at 10:00 a.m.

2. Evelyn Ravindran/Jody Joki/Allen Gauthier – Parks and Recreation By-laws and Resolution KB-1665-2009

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO POSTPONE RESOLUTION KB-1665-2009 AND BY-LAWS UNTIL THE APRIL 17<sup>TH</sup> MEETING. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

3. Gregg Nominelli, Economic Developer – Resolution KB-1666-2009 –Wind Monitoring Grant Application to study the feasibility of wind power for the purpose of reducing our reliance on fossil fuels and creating business opportunities, jobs and revenue for our community.

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1666-2009. SUPPORTED BY SUSAN J. LAFERNIER. ALL IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

4. Gary Loonsfoot, Sr. – Proposed Amendment to OHA Ordinance 2009-02 – 1<sup>st</sup> Reading – Article II Purpose

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO INTRODUCE THE PROPOSED AMENDMENT OF THE OHA ORDINANCE 2009-02 AND WAIVE THE 1<sup>ST</sup> READING. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Gary read the Article II Purposes after requested by Elizabeth Mayo.

Gary Loonsfoot will consider a date within 30 days for the 2<sup>nd</sup> Reading.

Q. Closed Session:

1. Gregg Nominelli, Economic Developer – Feasibility Study Contract Approval
2. Derek “Deve” Sever [This was completed earlier on the Agenda]
3. Carole LaPointe, Health Director/Christoph Geiger, Attorney – UPHG Agreement
4. Larry Denomie, CEO – Sanborn Map Company, Inc. Agreement

**MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO GO INTO CLOSED SESSION AT 12:05 P.M. SUPPORTED BY JERRY LEE CURTIS. NINE IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

**Break: 12:06 – 12:15 p.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:50 P.M. SUPPORTED BY FRED DAKOTA. ALL IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Sanborn Map Company Inc. to provide aerial photography and related services for \$24,600.00

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SERVICES AGREEMENT WITH SANBORN MAP COMPANY INC. SUPPORTED BY GARY F. LOONSFOOT, SR. ALL IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Upper Peninsula Health Group – Pharmacy Management Services

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE A LETTER OF AGREEMENT WITH THE UPPER PENINSULA HEALTH GROUP. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFERNIER, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Strategic Business Solutions, Inc. to perform a multi-site Convenience – Store/gas stations analysis and recommendations for \$12,500.00

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE CONSULTANT AGREEMENT WITH STRATEGIC BUSINESS SOLUTIONS, INC. AND TO REMOVE THE BAYSHORE BP, CARWASH AND LAUNDROMAT AND TO ADJUST THE FEES APPROPRIATELY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. EIGHT IN FAVOR (Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Isabelle H. Welsh), TWO OPPOSED (Susan J. LaFernier, Elizabeth D. Mayo), ONE ABSTAINING (Gary F. Loonsfoot, Sr.), ABSENT - 0, MOTION CARRIED.**

R. Adjournment:

**MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 12:53 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. ALL IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist