

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
FRIDAY – NOVEMBER 16, 2007 – 9:00 A.M.**

- A. Date: November 16, 2007
- B. Call to Order: President LaFerner called the meeting to order at 9:12 a.m.
- C. Invocation: Lord’s Prayer and prayers for Cowboy Loonsfoot who is in MGH and Floyd Forcia, Sr. who is in BCMH
- D. Roll Call: Present: Susan J. LaFerner, President
Warren C. Swartz, Jr., Vice-Pres (arrived at 9:51 a.m., left at 12:03 p.m.)
Toni J. Minton, Secretary
Gary F. Loonsfoot, Sr., Assistant Secretary (left at 12:03 p.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO
Doreen G. Blaker
Jerry Lee Curtis
William E. Emery
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (arrived at 9:22 a.m.)
Absent: Michael F. LaFerner, Sr.
- E. Declaration of Quorum: President LaFerner declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 16, 2007
- Additions: Old Business- 2. Debbie Parrish – OCC Questions
Closed Session- 6. Doreen Blaker – Donation

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

G. For Your Information:

1. Gaming Commission Meeting Minutes from October 16th and 23rd, 2007
2. Flyer - Protect Public Lands Access in the Upper Peninsula – Kennecott is requesting exclusive use of over 100 acres of land on the Yellow Dog Plains for over 35 years. KBIC's permit was denied for Cultural use.

H. Approval of Meeting Minutes:

1. October 2, 2007

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE OCTOBER 2, 2007 MEETING MINUTES. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr., Elizabeth D. Mayo), MOTION CARRIED.

Elizabeth Mayo arrived at 9:22 a.m.

2. October 6, 2007

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE OCTOBER 6, 2007 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFernier, Sr.), MOTION CARRIED.

I. Old Business:

1. Susan LaFernier - Marquette Hardship Fund - Emergency Dental Procedures Line Item

Cherie Dakota sent a memo regarding questions concerning the Marquette Health & Hardship Fund. Cherie asked if the \$5000.00 Dental allocation is part of the budget already approved or in addition and specifics on what it covers. Jennifer Misegan suggested having Dr. Johnson/Cherie Dakota define what a dental emergency is, follow the same procedures. Cherie will bring the information to Council.

2. Debbie Parrish/Liz Julio/Charlotte Loonsfoot – Library Budget/OCC Questions (Handout)

Debbie discussed questions regarding the College closing such as how to dispose of assets, will the Tribe give money for Tribal match if accreditation is not pursued, the five students scheduled to graduate in the Spring and degree programs such as the Early Childhood Care. She also asked if the Library has a budget per letter from Mary Bergerson, Library Director.

Chris Swartz arrived at 9:51 a.m.

Elizabeth Mayo asked Chairperson Susan LaFernier where the Council is at with this. She stated she has been receiving calls regarding the Gazette article and the TV-6 News report and people are asking her where they are headed with this issue.

Susan LaFernier stated that the Council still has to discuss a budget and they will be discussing the budget later today and will go from there.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO CONTINUE THE OPERATIONS OF THE OJIBWA COMMUNITY COLLEGE UNTIL THE END OF THE SPRING SEMESTER AND TO CONTINUE TO MEET WITH PRESIDENT PARRISH ABOUT OCC'S BUDGET AND POSSIBLY WORKING WITH OTHER COLLEGES AND UNIVERSITIES ALONG WITH POSSIBLY PURSUING ACCREDITATION. SUPPORTED BY WILLIAM E. EMERY.

MOTION MADE BY TONI J. MINTON TO TABLE THE MOTION UNTIL THE COUNCIL DISCUSSES THE BUDGET FURTHER. SUPPORTED BY JENNIFER MISEGAN. THREE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan), SIX OPPOSED (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), ONE ABSTAINING (Larry J. Denomie III), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION DEFEATED.

(Motion to Table was defeated so the first Motion was voted on)-

MOTION MADE BY GARY F. LOONSFOOT, SR. TO CONTINUE THE OPERATIONS OF THE OJIBWA COMMUNITY COLLEGE UNTIL THE END OF THE SPRING SEMESTER AND TO CONTINUE TO MEET WITH PRESIDENT PARRISH ABOUT OCC'S BUDGET AND POSSIBLY WORKING WITH OTHER COLLEGES AND UNIVERSITIES ALONG WITH POSSIBLY PURSUING CONTINUING WITH ACCREDITATION. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), THREE OPPOSED (Warren C. Swartz, Jr., Toni J. Minton, Jennifer Misegan), ONE ABSTAINING (Larry J. Denomie III), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Jennifer Misegan stated her opposition: While she was in favor of continuing with another semester, she is confused on the part about working for accreditation with other colleges. She would have liked a discussion on it first.

Toni Minton stated the same. She is okay with continuing another semester but she is not sure about the accreditation.

Gary Loonsfoot stated that it is for discussing it, not actually doing it.

Jennifer Misegan stated they will need a revised budget plan submitted for the rest of the year.

Break: 10:20 – 10:32 a.m.

Toni Minton left 10:40 – 10:50 a.m.

J. New Business:

- 1. Employee Christmas Party Task Force/Janice Halverson/Robin Chosa/Jean Jokinen/Colleen DeRoche/Liz Julio/Yvette Friisvall – Request for additional funds

MOTION MADE BY WILLIAM E. EMERY TO APPROVE UP TO \$10,000.00 ADDITIONAL FOR THE CHRISTMAS PARTY, SPEND WHAT IS NEEDED AND SAVE RECEIPTS, FOR A TOTAL OF \$25,000.00. SUPPORTED BY ELIZABETH D. MAYO. SIX IN FAVOR (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), ONE OPPOSED (Warren C. Swartz, Jr.), THREE ABSTAINING (Toni J. Minton, Jennifer Misenan, Larry J. Denomie III), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

- 2. Arlan Friisvall – Two bids for the Senior/Disabled Snowplowing were received and other options per his handout.

MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE THE HAROLD KOSKI BID.

MOTION DIED FOR LACK OF SUPPORT.

MOTION MADE BY JENNIFER MISEGAN TO INCREASE THE MAINTENANCE BUDGET BY \$9,634.00 TO HIRE A SEASONAL EMPLOYEE FOR SNOWPLOWING. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misenan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews), TWO OPPOSED (Warren C. Swartz, Jr., Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Chris Swartz stated his opposition: We solicited bids. We should own up to that obligation and give a Tribal Member a job.

- 3. Diana Chaudier, Election Board Chair -Voter List and Candidates

Baraga District:	Fred Dakota Charles A. Loonsfoot, Sr. Elizabeth “Popcorn” D. Mayo	Gary F. Loonsfoot, Sr. James J. Loonsfoot Debra Williamson
------------------	---	--

L’Anse District:	Carrie Ashbrook Michael F. LaFernier, Sr. JoAnne Racette	Joseph A. Dowd (Shawanung) Toni J. Minton
------------------	--	--

Associate Judge:	Violet M. Friisvall Ayres
------------------	---------------------------

Proposal:
(Resolution KB-1586-2007)

Do you support a Primary Election in the L'Anse and Baraga Districts, to be held in advance of the General Election, for the purpose of nominating candidates for Tribal Council who will then be elected to the Tribal Council at the General Election by a majority vote of the eligible voters in the Community?

Two members of the Election Board have excused themselves from working at this Election. The Election Board will be in need of an additional five election workers. (3 in L'Anse and 2 in Baraga). An ad will be placed in the L'Anse Sentinel.

There was a question on Debra Williamson's residency requirement. Diana stated that the Committee had decided she did reside here. Jennifer Misegan stated that Debra Williamson was not eligible as a candidate as she did not meet the one-year residency requirement and that she was living in Wisconsin as of November 15, 2006.

MOTION MADE BY LARRY J. DENOMIE III TO GO INTO CLOSED SESSION AT 11:18 A.M. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.

MOTION MADE BY WARREN C. SWARTZ, JR. TO GO INTO OPEN SESSION AT 11:23 A.M. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFerner, Sr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE 2007 REGISTERED VOTER LIST PENDING THE THREE THAT NEED TO BE REVIEWED: ONE IN BARAGA AND TWO IN L'ANSE. SUPPORTED BY JENNIFER MISEGAN. WARREN C. SWARTZ, JR. REQUESTED A ROLL CALL VOTE.

Warren Swartz – Aye
Jennifer Misegan – Aye
Larry Denomie – Aye
Doreen Blaker – Aye
Jerry Lee Curtis – Aye
William Emery – Aye
Elizabeth Matthews – Aye

Toni Minton – Abstain
Gary Loonsfoot – Abstain
Elizabeth Mayo – Abstain
Michael LaFerner – Absent

SEVEN IN FAVOR, OPPOSED – 0, THREE ABSTAINING, ONE ABSENT, MOTION CARRIED.

The Election Committee approved all nominations for candidacy with the exception of Carrie Ashbrook who does not reside in the L'Anse District.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE ASSOCIATE JUDGE CANDIDATE, VIOLET M. FRIISVALL-AYRES. SUPPORTED BY WARREN C. SWARTZ, JR. TEN IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE BARAGA CANDIDATES: FRED DAKOTA, GARY LOONSFOOT, SR., CHARLES LOONSFOOT, SR., JAMES LOONSFOOT, ELIZABETH MAYO AND DEBRA WILLIAMSON AND L'ANSE CANDIDATES: JOE DOWD, MICHAEL LAFERNIER, SR., TONI MINTON AND JOANNE RACETTE FOR THE 2007 ELECTION. SUPPORTED BY WARREN C. SWARTZ, JR. SIX IN FAVOR (Warren C. Swartz, Jr., Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews), ONE OPPOSED (Jennifer Misegan), THREE ABSTAINING (Toni J. Minton, Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.

Jennifer Misegan stated her opposition: She does not believe that Debra Williamson was physically residing on the reservation one year prior to the nomination deadline.

December 5, 2007 is the deadline for applications for additional election workers.

Break: 11:32 – 11:53 a.m.

4. Todd Warner – Deer Carcass Disposal

Todd did research and options were discussed on the disposal of deer carcasses through the hunting season. Todd will put an article in the Newsletter and put up signs to please discard into the woods and not on the roadside or in public places.

Lunch: 12:03 – 1:10 p.m.

Chris Swartz left at 12:03 p.m.

Gary Loonsfoot left at 12:03 p.m.

K. Closed Session:

1. **1:00 p.m.** - John Baker, Attorney
2. **2:00 p.m.** - **Interview for Substance Abuse Programs Administrator**
3. Jennifer Misegan, Treasurer – Donations
4. Susan LaFernier, President
5. Larry Denomie, CEO
6. Doreen Blaker – Donation

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION. SUPPORTED BY LARRY J. DENOMIE III. MOTION WITHDRAWN.

Diana Chaudier stated that Donald Stolp, Sr. had a candidacy submission turned in at 2:15 p.m. by the deadline on 11/15/07 as signed on the envelope by an employee. It was in Warren Swartz's mailbox and was not given to the Election Board until noon today. She had contacted three of the five committee members.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE DONALD STOLP, SR. ENROLLMENT #2033 THAT WAS SUBMITTED BY 11/15/07 TO THE ELECTION CANDIDATES IN L'ANSE. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. SIX IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews), OPPOSED - 0, TWO ABSTAINING (Toni J. Minton, Elizabeth D. Mayo), THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 1:15 P.M. SUPPORTED BY LARRY J. DENOMIE III. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

Break: 2:28 – 2:43 p.m.

MOTION MADE BY TONI J. MINTON TO GO INTO OPEN SESSION AT 4:26 P.M. 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, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

Head Start Children's Christmas Gifts - \$25.00 each for 62 kids

MOTION MADE BY JENNIFER MISEGAN TO APPROVE \$1550.00 TO HEAD START FOR THEIR CHRISTMAS PARTY. SUPPORTED BY DOREEN G. BLAKER. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO PAY FOR A ONE-WAY TICKET TO THE WOMEN-IN-RECOVERY PROGRAM AND ALSO A RETURN TICKET IF THE PROGRAM IS COMPLETED FOR RECOVERY REQUEST #001-2007. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY LARRY J. DENOMIE III TO RAISE THE HOURLY RATE FOR RHONDA HOPKINS IN THE BAY MILLS IMMERSION PROGRAM FROM \$30 TO \$40 AN HOUR AND TO AMEND HER SERVICES AGREEMENT. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth "Chiz" Matthews), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (William E. Emery), THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

Elizabeth Mayo stated her opposition: When MOU's come to us it would be nice if they were complete, so we don't have to go back in six months and rectify certain parts of the MOU.

Susan LaFernier stated this MOU was completed, it changed.

MOTION MADE BY DOREEN G. BLAKER TO OFFER THE SUBSTANCE ABUSE PROGRAMS ADMINISTRATOR POSITION TO JERRY LEE CURTIS. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. SEVEN IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.

MOTION MADE BY DOREEN G. BLAKER TO APPROVE UP TO \$80.00 EMERGENCY MONIES PER DAY FOR MYRTLE TOLONEN UNTIL HER RADIATION TREATMENTS ARE COMPLETED. SUPPORTED BY JENNIFER MISEGAN. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFerner, Sr.), MOTION CARRIED.

MOTION MADE BY JENNIFER MISEGAN TO OFFER THE ASSOCIATE DIRECTOR POSITION TO BECKY TUSSING. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS.

(Motion was rescinded).

MOTION MADE BY ELIZABETH D. MAYO TO OFFER THE INTERIM ASSOCIATE DIRECTOR TO BECKY TUSSING FOR SIX MONTHS. SUPPORTED BY WILLIAM E. EMERY.

MOTION MADE BY JENNIFER MISEGAN TO TABLE THE INTERIM POSITION UNTIL BECKY TUSSING IS INTERVIEWED. SUPPORTED BY TONI J. MINTON. SIX IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews), ONE OPPOSED (Elizabeth D. Mayo), ONE ABSTAINING (William E. Emery), THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFerner, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY WILLIAM E. EMERY TO ADJOURN AT 4:35 P.M. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Toni J. Minton, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Warren C. Swartz, Jr., Gary F. Loonsfoot, Sr., Michael F. LaFerner, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary