

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
TUESDAY – SEPTEMBER 9, 2008 –9:00 A.M.**

- A. Date: September 9, 2008
- B. Call to Order: Vice-President LaFernier called the meeting to order at 9:15 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President (arrived at 1:15 p.m.)
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary (arrived at 1:15 p.m.)
William E. Emery, Assistant Secretary (arrived at 10:58 a.m.)
Jennifer Misegan, Treasurer
Larry J. Denomie III, CEO (left 9:45 – 10:11 a.m.)
Doreen G. Blaker (left 10:16 – 11:00 a.m.)
Jerry Lee Curtis
Michael F. LaFernier, Sr. (arrived at 9:36 a.m.)
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo (left at 11:03 a.m.)
Fred Dakota
- E. Declaration of Quorum: Vice-President LaFernier declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: September 9, 2008
- Additions: FYI- 1. Susan LaFernier – KBIC Strategic Energy Planning Session
2. Jennifer Misegan – Agenda for NCAI Event – Annual Trade Show

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE AGENDA WITH THE ADDITIONS. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), OPPOSED - 0, ABSTAINING – 0, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, William E. Emery, Michael F. LaFernier, Sr.), MOTION CARRIED.

G. For Your Information:

1. KBIC Strategic Energy Planning Sessions on September 10, 11, & 12th at the Senior Citizens Building
2. Agenda for NCAI Event – Annual Trade Show on October 19 – 24th in Phoenix, AZ

H. Old Business:

1. Larry Denomie, CEO/Dominic Picciano, Electrician – Pines Generator Bids - (3) bids were submitted but more information is needed with two of the bids. They will bring back the additional information at a future meeting.

I. New Business:

1. Todd Warner, NRD – Individual Well Uranium Study/Testing MOA with I.H.S.

The project will collect data from 140 existing residential wells in Baraga, Houghton and Ontonagon Counties to determine which wells provide water from the Jacobsville Sandstone. Corrective actions will be proposed if high concentrations of uranium are found.

Mike LaFernier arrived at 9:36 a.m.

Doreen Blaker left at 9:45 a.m.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE URANIUM WELL TESTING MOA WITH INDIAN HEALTH SERVICES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (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, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, William E. Emery, Doreen G. Blaker), MOTION CARRIED.

2. Gregg Nominelli, Economic Developer - I.H.S. Agreement – Village of Baraga Water Intake

MOTION MADE BY FRED DAKOTA TO APPROVE THE MOA BETWEEN INDIAN HEALTH SERVICES AND THE KEWEENAW BAY INDIAN COMMUNITY FOR THE IMPROVEMENT TO THE VILLAGE OF BARAGA WATER INTAKE PROJECT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (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, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, William E. Emery, Doreen G. Blaker), MOTION CARRIED.

3. Sarah Smith, Assistant CEO – Architect/Engineering Proposals and Budget for Donald A. LaPointe Health & Education Renovation & Expansion Project. She stated that eleven proposals were sent out and four were returned.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE U.P. ENGINEERING FOR A TOTAL OF \$51,950.00 FOR ARCHITECTURAL SERVICES OF THE DONALD A. LAPOINTE HEALTH CENTER. SUPPORTED BY MICHAEL F. LAFERNIER, SR. FIVE IN FAVOR (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, FOUR ABSENT (Warren C. Swartz, Jr., Toni J. Minton, William E. Emery, Doreen G. Blaker), MOTION CARRIED.

Doreen Blaker returned at 10:11 a.m.

Sarah reviewed the \$800,000.00 budget with Council. There is a \$30,000.00 cash match and \$170,000.00 in-kind match funding from other KBIC funds.

MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE BUDGET FOR THE HEALTH CENTER EXPANSION PROJECT. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Fred Dakota), ONE OPPOSED (Michael F. LaFernier, Sr.), ABSTAINING – 0, THREE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, William E. Emery), MOTION CARRIED.

Mike LaFernier stated his opposition: He is opposed because it is not a force account.

J. Closed Session:

1. **10:00 a.m. – Grievance Hearing Case #005-08**
2. **1:00 p.m. - Jeff Lamson Liquor License Hearing**
3. John Baker, Attorney
4. Larry Denomie III, CEO
5. Warren C. Swartz, Jr., President

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO GO INTO CLOSED SESSION AT 10:15 A.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SIX IN FAVOR (Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews), TWO OPPOSED (Elizabeth D. Mayo, Fred Dakota), ABSTAINING – 0, THREE ABSENT (Warren C. Swartz, Jr., Toni J. Minton, William E. Emery), MOTION CARRIED.

Break: 10:16 – 10:30 a.m.

Doreen left 10:16 – 11:00 a.m.

William Emery arrived at 10:58 a.m.

Elizabeth Mayo left at 11:03 a.m.

Lunch: 11:40 a.m. – 1:15 p.m.

President Swartz arrived at 1:15 p.m.

Toni Minton arrived at 1:15 p.m.

MOTION MADE BY JERRY LEE CURTIS TO GO INTO OPEN SESSION AT 2:05 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, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINING – 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

Grievance Hearing Case #005-08 -

MOTION MADE BY JENNIFER MISEGAN TO UPHOLD THE GENERAL MANAGER’S DECISION IN GRIEVANCE HEARING CASE #005-08 AND TO ISSUE A DIRECTIVE TO THE TERO DIRECTOR AND HUMAN RESOURCES DIRECTOR TO DRAFT A JOB DESCRIPTION FOR THE MOTEL MANAGER TO INCLUDE CERTIFICATION AND ON THE JOB TRAINING AND TO REPOST THE POSITION. SUPPORTED BY SUSAN J. LAFERNIER. NINE IN FAVOR (Susan J. LaFerner, William E. Emery, Jennifer Misegan, Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ONE ABSTAINING (Toni J. Minton), ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

K. Adjournment:

MOTION MADE BY FRED DAKOTA TO ADJOURN AT 2:10 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, Doreen G. Blaker, Jerry Lee Curtis, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Fred Dakota), OPPOSED - 0, ABSTAINING – 0, ONE ABSENT (Elizabeth D. Mayo), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Recording Secretary