

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
SPECIAL COUNCIL MEETING  
TRIBAL CENTER CONFERENCE ROOM  
THURSDAY – MARCH 22, 2007 – 9:00 A.M.**

- A. Date: March 22, 2007
- B. Call to Order: President LaFernier called the meeting to order at 9:13 a.m.
- C. Invocation: Lord’s Prayer  
Opening Prayer in Ojibwa
- D. Roll Call: Present: Susan J. LaFernier, President  
Warren C. Swartz, Jr., Vice-President  
Toni J. Minton, Secretary  
Gary F. Loonsfoot, Sr., Assistant Secretary  
Jennifer Misegan, Treasurer  
Larry J. Denomie III, CEO  
Doreen G. Blaker  
Jerry Lee Curtis  
William E. Emery  
Michael F. LaFernier, Sr. (arrived at 10:50 a.m.)  
Elizabeth “Chiz” Matthews  
Elizabeth D. Mayo
- E. Declaration of Quorum: President LaFernier declared a quorum and proceeded with the order of business.
- F. Approval of Agenda: March 22, 2007

**MOTION MADE BY LARRY J. DENOMIE III TO APPROVE THE AGENDA. SUPPORTED BY JENNIFER MISEGAN. 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.**

G. For Your Information:

1. A Thank You from Penney Jaeger for sponsorship towards last year's Lake Trout Festival and advertising KB received.
2. A copy of the Gaming Commission Meeting Minutes from March 6, 2007.
3. Indian Land Consolidation Program Quarterly Update.
4. An invite to *Waaseyaasibii'ige: Writing with Light* photography project from NMU Center for Native American Studies on Friday, March 23<sup>rd</sup> at the UP Children's Museum in Marquette.
5. National Native American Economic Policy Summit - Phoenix, Arizona, May 15-17, 2007.
6. A copy of upLife from Save The Wild U.P.
7. A memo from Brad Dakota on Drug Free Workplace Policy.

H. Old Business:

1. Larry Denomie – CEO Report for February 2007

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE CEO REPORT. SUPPORTED BY TONI J. MINTON. 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.**

2. Jason Ayres – Beartown Housing Development Road Project (see memo)

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE TRIBAL CONSTRUCTION AS THE GENERAL CONTRACTOR AND TRIBAL REPRESENTATIVE FOR THE BEARTOWN HOUSING DEVELOPMENT ROAD PROJECT, AS RECOMMENDED BY JASON AYRES. SUPPORTED BY ELIZABETH D. MAYO. 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.**

I. New Business:

1. Pete Morin – 9-1-1 Donation Request for Fireworks. Sale prices are only in effect through the coming weekend. Jennifer Misegan stated that the procedure for donations was not being followed. Doreen Blaker said that in emergency situations there are exceptions.

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE \$7000.00 FOR PETE MORIN TO PURCHASE FIREWORKS FOR THE 911 CONCERT. SUPPORTED BY WARREN C. SWARTZ, JR. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Larry J. Denomie III, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jennifer Misegan), ONE ABSENT (Michael F. LaFernier, Sr.), MOTION CARRIED.**

Toni Minton reminded Pete that he should put his request in earlier for next year.

2. Dale Dakota – Police Car Bids (These will be paid with funds from the COPS Grant)

**MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE BID #3 FROM BIG VALLEY FORD FOR TWO VEHICLES IN THE AMOUNT OF \$49,250.00. SUPPORTED BY DOREEN G. BLAKER. 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.**

3. George DeCota – He introduced David Osmak, BIA Forester, to the Tribal Council. David said one of his concerns is that we are running out of areas for TSI and it is one of his top priorities. Jennifer Misegan asked about firewood permits, how they are issued and who they are issued to [Tribal Members only] and if he verifies Tribal Membership. Jennifer offered assistance through the Enrollment Office for verifications.

George DeCota was concerned about fire hazards on the rez as he has seen yards that need to be cleaned up. Doreen Blaker asked him to bring a proposal to the Council and to identify the areas that need to be cleaned. Gary Loonsfoot mentioned working in conjunction with OHA during their Spring Clean-Up.

4. Todd Warner – Commercial Fishing Licenses for 2007 – 2008 (19 applicants)

Jeanne Kauppila handed out copies of the Title Ten (Hunting, Fishing, Trapping & Gathering) Tribal Code book.

**MOTION MADE BY WARREN C. SWARTZ, JR. TO APPROVE ALL APPLICANTS FOR A COMMERCIAL FISHING LICENSE FOR 2007 – 2008 PENDING BOAT INSPECTIONS AND HAACP CERTIFICATIONS AND TO WAIVE THE REQUIREMENT NUMBER FOR LARGE BOATS FROM TWO TO THREE. SUPPORTED BY JERRY LEE CURTIS. 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.**

Doreen Blaker would like to attend the next Natural Resource Committee meeting to discuss issues concerning having a limit on raccoons, and like to see that amended in the Title Ten code book.

Chris Swartz would like to see the Tribe create a “Wolf Plan” to protect them, especially since they are our Clan. Chris feels that if the Tribe doesn’t the State will do it for us.

Break: 10:25 – 10:38 a.m.

5. Will Wiggins - Mechanical Fuels Treatment Plan in Zeba. Funding has been received for this project in the amount of \$16,000. It will be handled in the same manner as the TSI jobs. Contracts will be made with people to do the removal and they will utilize the wood for firewood and Cultural resources and any left over will be piled and burned. George DeCota will be supervising this project. They will also be pulling old appliances from the woods and putting them onto the roadside. Gary Loonsfoot suggested that Housing could pick them up during the Spring Clean-up. Will said he also plans to contact REA, as they will be cleaning up under power lines.

Larry Denomie left at 10:42 a.m.

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MECHANICAL FUELS TREATMENT PLAN FOR NORTH AND SOUTH ZEBA TRIBAL HOUSING. SUPPORTED BY GARY F. LOONSFOOT, SR. NINE IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Jennifer Misegan, Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.**

Jennifer Misegan left at 10:46 a.m.

6. John Baker – New Business License for Brad Dakota, Keweenaw Bay Fisheries

**MOTION MADE BY TONI J. MINTON TO APPROVE THE BUSINESS LICENSE FOR BRAD DAKOTA FOR KEWEENAW BAY FISHERIES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Warren C. Swartz, Jr., Toni J. Minton, Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Larry J. Denomie III, Michael F. LaFernier, Sr.), MOTION CARRIED.**

Gary Loonsfoot left at 10:49 a.m.

Larry Denomie returned at 10:49 a.m.

Jennifer Misegan returned at 10:49 a.m.

7. Susan LaFernier – Request to allow Employees time off from work to attend the Language Immersion Workshop being held on April 4<sup>th</sup> – 6<sup>th</sup> with Supervisor’s approval. (April 6<sup>th</sup> is a Holiday)

**MOTION MADE BY JENNIFER MISEGAN TO ALLOW EMPLOYEES TO ATTEND THE IMMERSION WORKSHOP PENDING THEIR SUPERVISOR’S APPROVAL. SUPPORTED BY TONI J. MINTON. NINE IN FAVOR (Warren C. Swartz, Jr., 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, TWO ABSENT (Gary F. Loonsfoot, Sr., Michael F. LaFernier, Sr.), MOTION CARRIED.**

Mike LaFERNIER arrived at 10:50 a.m.

Gary Loonsfoot returned at 11:08 a.m.

8. Larry Denomie – Cell Phone Use Policy. Council reviewed and made changes to the policy.
9. **Presentation at 11:00 a.m.** – Pat Black, Director of Marquette County Convention & Visitors Bureau. In attendance: Jesse Luttenton/John Mantila/David Haataja

Pat works with Casinos and Hotels for the Marquette Industry in bringing tourists into the area.

Mike LaFERNIER left at 11:50 a.m.

Lunch: 12:03 – 1:15 p.m.

Chris Swartz left at 12:03 p.m.

J. Closed Session:

1. Termination Appeal Hearing # 002-07 – **1:00 p.m.**
2. John Mantila/Betty Knapp/Arica Fassbender – Slot Purchase **2:00 p.m.**
3. Chuck Brumleve – Wittman Contract Update
4. Gerry Mantila/Christoff Geiger – Service Agreement between KBIC and Bay Mills Community College for the Language Immersion Presentation
5. Sarah Smith – Funding Agreement between KBIC and Baraga Village–KB Waste Water Authority Board
6. Jennifer Misegan
7. Larry Denomie – a) Update on National Labor Relations Board Decision  
b) Cell Phone Contracts
8. John Baker
9. Susan LaFERNIER

**MOTION MADE BY TONI J. MINTON TO GO INTO CLOSED SESSION FOR THE ITEMS LISTED AT 1:16 P.M. SUPPORTED BY DOREEN G. BLAKER. 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), ONE OPPOSED (Elizabeth D. Mayo), ABSTAINING - 0, TWO ABSENT (Warren C. Swartz, Jr., Michael F. LaFERNIER, Sr.), MOTION CARRIED.**

Mike LaFERNIER arrived at 1:19 p.m.

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 4:42 P.M. SUPPORTED BY WILLIAM E. EMERY. TEN IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., 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, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE SERVICE AGREEMENT WITH BAY MILLS COMMUNITY COLLEGE FOR THE IMMERSION WORKSHOP. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., 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, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

**MOTION MADE BY ELIZABETH D. MAYO TO OVERTURN THE CEO’S DECISION IN APPEAL HEARING #002-07 AND TO REINSTATE THE TIRE SHOP MANAGER WITHOUT BACK PAY AND TO PUT HIM ON A SIX-MONTH PROBATION AND TO ATTEND EAP AND ALL CUSTOMER RELATED WORKSHOPS AND TRAININGS. SUPPORTED BY WILLIAM E. EMERY. SEVEN IN FAVOR (Gary F. Loonsfoot, Sr., Doreen G. Blaker, Jerry Lee Curtis, William E. Emery, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), TWO OPPOSED (Toni J. Minton, Jennifer Misegan), ONE ABSTAINING (Larry J. Denomie III), ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

K. Adjournment:

**MOTION MADE BY ELIZABETH D. MAYO TO ADJOURN AT 4:45 P.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (Toni J. Minton, Gary F. Loonsfoot, Sr., 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, ONE ABSENT (Warren C. Swartz, Jr.), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Recording Secretary