

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
SPECIAL COUNCIL MEETING
TRIBAL CENTER CONFERENCE ROOM
THURSDAY – SEPTEMBER 3, 2009 – 9:00 A.M.**

- A. Date: September 3, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:09 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
William E. Emery, Assistant Secretary (left at 9:56 a.m.)
Jennifer Misegan, Treasurer
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, Sr. (left at 10:00 a.m.)
Gary F. Loonsfoot, Sr.
Elizabeth “Chiz” Matthews
Elizabeth D. Mayo
Isabelle Helene Welsh (arrived at 9:44 a.m.)

Absent: Toni J. Minton, Secretary

- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.

- F. Approval of Agenda: September 3, 2009

Addition: New Business- 5. Jennifer Misegan – Donation Request Update

Deletion: Old Business- 1. Ethics Ordinance Review

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

G. For Your Information:

1. A copy of the Gaming Commission Minutes from 7/14/09, 7/28/09 and 7/30/09
2. HR Insider Bulletin August 2009 – Employee Benefits Agency, Inc.
3. Indianz.com – Mary Pember: Painkillers in Indian Country
4. Sequoyah National Research Center Newsletter August 2009

H. Approval of Meeting Minutes:

1. May 14, 2009

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE MAY 14, 2009 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (William E. Emery, Gary F. Loonsfoot, Sr.), TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

2. May 21, 2009

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE MAY 21, 2009 MEETING MINUTES WITH THE CHANGE. SUPPORTED BY WILLIAM E. EMERY. NINE IN FAVOR (Susan J. LaFernier, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

3. May 28, 2009

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE MAY 28, 2009 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY JENNIFER MISEGAN. SEVEN IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, ONE ABSTAINING (Jerry Lee Curtis), THREE ABSENT (Toni J. Minton, William E. Emery, Isabelle H. Welsh), MOTION CARRIED.

(William Emery out of the room)

4. June 4, 2009

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE JUNE 4, 2009 MEETING MINUTES WITH THE CHANGES. SUPPORTED BY JERRY LEE CURTIS. SEVEN IN FAVOR (Susan J. LaFernier, William E. Emery, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Jennifer Misegan, Michael F. LaFernier, Sr.), TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

[Skip to New Business]

1. John Baker, Attorney – Gary F. Loonsfoot, Jr. Temporary Alcoholic Beverage License Application for Softball Tournament - September 4-6, 2009 Stark's Field - Baraga

MOTION MADE BY FRED DAKOTA TO APPROVE THE LIQUOR LICENSE APPLICATION FOR THE SOFTBALL TOURNAMENT AND TO WAIVE THE FEE. SUPPORTED BY MICHAEL F. LAFERNIER, SR. SEVEN IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Elizabeth D. Mayo), ONE OPPOSED (Elizabeth "Chiz" Matthews), ONE ABSTAINING (Gary F. Loonsfoot, Sr.), TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

I. Old Business:

1. Jason Ayres, Realty – KBOCC (Ojibwa) Industrial Park Space Lease effective for one year beginning September 1st for educational purposes for woodworking classes

MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE OJIBWA INDUSTRIAL PARK LEASE BETWEEN THE COMMUNITY AND KBOCC. SUPPORTED BY FRED DAKOTA. NINE IN FAVOR (Susan J. LaFERNIER, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

J. New Business:

2. Jason Ayres, Realty – Resolution KB-1708-2009 OHA Commercial Lease – Property that was formally leased to Lawrence J. Denomie, III when he owned BP

MOTION MADE BY ELIZABETH D. MAYO TO DENY RESOLUTION KB-1708-2009 OHA COMMERCIAL LEASE. SUPPORTED BY FRED DAKOTA. THREE IN FAVOR (Susan J. LaFERNIER, Fred Dakota, Elizabeth D. Mayo), FIVE OPPOSED (William E. Emery, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION DEFEATED.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1708-2009 OHA COMMERCIAL LEASE. SUPPORTED BY WILLIAM E. EMERY. FIVE IN FAVOR (William E. Emery, Jerry Lee Curtis, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Elizabeth "Chiz" Matthews), THREE OPPOSED (Susan J. LaFERNIER, Fred Dakota, Elizabeth D. Mayo), ONE ABSTAINING (Jennifer Misegan), TWO ABSENT (Toni J. Minton, Isabelle H. Welsh), MOTION CARRIED.

3. Betty Knapp, Slot Supervisor – Participation Games Removals (6) and Installs (6) at the Baraga and Marquette Properties which was approved by the Gaming Commission on August 25, 2009

Isabelle Welsh arrived at 9:44 a.m.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE REQUEST TO REMOVE AND INSTALL PARTICIPATION GAMES AS PROPOSED FOR THE BARAGA AND MARQUETTE PROPERTIES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, 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, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

4. Kathy Mayo, Community Health Director – Michigan Cancer Registry Project. A free software program (Registry Plus TM Link Plus) is able to conduct a linkage between the State cancer registry and a Tribe’s enrollment roster to provide cancer statistics for cancer planning and grant applications.

MOTION MADE BY ELIZABETH D. MAYO TO MOVE FORWARD WITH THE MICHIGAN CANCER REGISTRY PROJECT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Susan J. LaFernier, 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, ONE ABSENT (Toni J. Minton), MOTION CARRIED.

William Emery left at 9:56 a.m.

5. Jennifer Misegan –
 - a) ATM Proposal Update – SNB came back with an agreement and it has gone to the Attorney’s office for review.
 - b) Loan Default Update – The process is continuing slowly, as the bank employee working with this is no longer employed at the bank.
 - c) Donation Request – Bill Jondreau/Baraga Flag Football Program. The Weed & Seed Program donated \$1,000.00.

MOTION MADE BY JENNIFER MISEGAN TO APPROVE A DONATION OF \$2,000.00 TO THE BARAGA FLAG FOOTBALL PROGRAM. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Jennifer Misegan, Jerry Lee Curtis, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ONE ABSTAINING (Fred Dakota), TWO ABSENT (Toni J. Minton, William E. Emery), MOTION CARRIED.

K. Closed Session:

1. Kathy Mayo, Community Health Director – Stephanie Pinnow Renewal Contract

[The following items postponed until September 4, 2009]

2. Gerry Mantila, Cultural Committee Chair/Christoph Geiger, Attorney – Services Agreement
3. Derek “Deve” Sever, Radio Station Manager – Funny Business Agency Agreement
4. John Baker, Attorney – Mining Issue
5. Larry Denomie III, CEO
6. Warren C. Swartz, Jr., President

MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 9:59 A.M. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. SEVEN IN FAVOR (Susan J. LaFerner, 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, TWO ABSENT (Toni J. Minton, William E. Emery), MOTION CARRIED.

Mike LaFerner, Sr. left at 10:00 a.m.

MOTION MADE BY FRED DAKOTA TO GO INTO OPEN SESSION AT 10:02 A.M. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, William E. Emery, Michael F. LaFerner, Sr.), MOTION CARRIED.

Stephanie Pinnow Services Agreement Renewal – effective August 29, 2009 for scope of services with the Department of Health and Human Services

MOTION MADE BY ELIZABETH D. MAYO TO RENEW THE SERVICES AGREEMENT WITH STEPHANIE PINNOW. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, William E. Emery, Michael F. LaFerner, Sr.), MOTION CARRIED.

L. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 10:03 A.M. SUPPORTED BY FRED DAKOTA. EIGHT IN FAVOR (Susan J. LaFerner, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Toni J. Minton, William E. Emery, Michael F. LaFerner, Sr.), MOTION CARRIED.

Respectfully submitted,

Peggy Minton
Administrative Specialist