

**MINUTES
KEWEENAW BAY INDIAN COMMUNITY
REGULAR TRIBAL COUNCIL MEETING
OJIBWA CASINO RESORT CONFERENCE ROOM
SATURDAY – MAY 2, 2009 – 9:00 A.M.**

- A. Date: May 2, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:02 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President
Susan J. LaFernier, Vice-President
Toni J. Minton, Secretary
William E. Emery, Assistant Secretary
Jennifer Misegan, Treasurer
Jerry Lee Curtis
Fred Dakota
Michael F. LaFernier, 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: May 2, 2009
- Additions: FYI- 12. A “Thank you” from the American Red Cross
13. A Flyer for the Children’s Powwow on May 9th
New Business- 3. President Swartz – Walleye Rearing Pond Aerator Bids

Recess after New Business for the Public Hearing on 2nd Reading of OHA Ordinance 2009-02

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA WITH THE CHANGES. SUPPORTED BY JENNIFER MISEGAN. 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.

G. For Your Information:

1. A "Thank you" from Bob and Lauri Denomie
2. A "Thank you" from the L'Anse Sophomore Class
3. A "Thank you" from Sandi Pittsley
4. A "Thank you" from Senator Debbie Stabenow for support and personal investment
5. NIGA Mourns the Passing of S. Timothy Wapato, Past Executive Director
6. Summer Camp Programs for Native Youth
7. A Travel Report from Debra Picciano on Supportive Housing April 13-16
8. A Brochure from IQM2 Meeting Management Software to Government Entities
9. A copy of the Gaming Commission Meeting Minutes from 03/24/09 & 04/07/09
10. NIGC Government-to-Government Consultation Notice and Request - for clarifications/issues of concern May 19-20 Prior Lake, MN
11. Department of Health & Human Services Announcement and Update on Swine Flu
12. A "Thank you" from the American Red Cross
13. A Flyer for the 12th Annual Children's Powwow on May 9th at OCC sponsored by KBIC Head Start/Early Head Start, KBIC, and ITC of Michigan

H. Approval of Meeting Minutes:

1. January 8, 2009

MOTION MADE BY FRED DAKOTA TO APPROVE THE JANUARY 8, 2009 MEETING MINUTES. SUPPORTED BY TONI J. MINTON. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, FOUR ABSTAINING (William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ABSENT - 0, MOTION CARRIED.

2. January 9, 2009

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 9, 2009 MEETING MINUTES. SUPPORTED BY MICHAEL F. LAFERNIER, SR. NINE IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jennifer Misegan, Jerry Lee Curtis, Fred Dakota, Michael F. LaFernier, Sr., Elizabeth "Chiz" Matthews, Elizabeth D. Mayo), OPPOSED - 0, TWO ABSTAINING (Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ABSENT - 0, MOTION CARRIED.

3. January 10, 2009

MOTION MADE BY FRED DAKOTA TO APPROVE THE JANUARY 10, 2009 MEETING MINUTES. 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.

4. January 15, 2009

MOTION MADE BY TONI J. MINTON TO APPROVE THE JANUARY 15, 2009 MEETING MINUTES. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN IN FAVOR (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, ONE ABSTAINING (Susan J. LaFerner), ABSENT - 0, MOTION CARRIED.

I. President’s Report/April 2009 – available for your review

MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE APRIL 2009 PRESIDENT’S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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/April 2009 – verbal report

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE APRIL 2009 VICE-PRESIDENT’S REPORT. 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.

K. Secretary’s Report/April 2009 – available for your review

MOTION MADE BY MICHAEL F. LAFERNIER, SR. TO APPROVE THE APRIL 2009 SECRETARY’S REPORT. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. TEN 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, Elizabeth D. Mayo, Isabelle H. Welsh), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, ABSENT - 0, MOTION CARRIED.

L. Treasurer’s Report/April 2009 – available for your review

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE APRIL 2009 TREASURER’S REPORT. 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.

M. CEO's Report/April 2009 (and Sarah Smith, Assistant CEO April 2009 Report) – available for your review [also available on Ojibwa.com]

Larry Denomie III not present – President Swartz read the CEO Report

MOTION MADE BY ELIZABETH “CHIZ” MATTHEWS TO APPROVE THE APRIL 2009 CEO’S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. 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 – March 2009

MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE MARCH 2009 DEPARTMENT HEAD REPORTS. SUPPORTED BY GARY F. LOONSFOOT, SR. 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.

O. New Business:

1. Larry Denomie III, CEO (Not present) – Schedule Enterprise Employee Appeal of Termination Hearing Case #011-09 - The Hearing is scheduled for May 7th at 1:00 p.m.
2. Debra Picciano – Resolution KB-1677-2009 Tribal Weatherization Program – Dept. of Energy

MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE RESOLUTION KB-1677-2009 TRIBAL WEATHERIZATION PROGRAM. 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.

3. President Swartz - Walleye Rearing Pond Solar Powered Aeration System Bids (3)

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE BID FROM KEETON INDUSTRIES IN THE AMOUNT OF \$5,779.00 FOR THE SOLAR AERATION SYSTEM FOR THE WALLEYE PONDS. 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.

MOTION MADE BY GARY F. LOONSFOOT, SR. TO RECESS AT 10:25 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.

2nd Reading – Proposed Amendment to OHA Ordinance 2009-02 Article II - Purposes
[See Legislative File]

Returned from Recess at 11:35 a.m.

Break: 11:36 – 11:42 a.m.

P. Closed Session:

1. Warren C. Swartz, Jr., President - Michigan Economic Development Corporation
2. Jennifer Misegan, Treasurer - Donations
3. John Baker, Attorney
4. Larry Denomie, CEO

MOTION MADE BY WILLIAM E. EMERY TO GO INTO CLOSED SESSION AT 11:43 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.

MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 12:38 P.M. 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.

April 2009 Donations –

MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FOLLOWING DONATIONS FOR APRIL 2009: \$500.00 TO THE AMERICAN LEGION FOR BRASS GRAVE MARKERS, \$450.00 TO THE KBIC HEAD START FOR GRADUATION GIFTS. SUPPORTED BY ELIZABETH D. MAYO. 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.

Community Garden to assist in the economic down turn. – Letter of Request from Fr. George Maki on behalf of The Most Holy Name of Jesus Parrish in Assinins

MOTION MADE BY FRED DAKOTA TO APPROVE THE REQUEST FOR THE COMMUNITY GARDEN IN THE AREA OF THE OLD TRIBAL CENTER BUILDING. SUPPORTED BY SUSAN J. LAFERNIER. 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.

Q. Adjournment:

MOTION MADE BY JENNIFER MISEGAN TO ADJOURN AT 12:40 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.

Respectfully submitted,

Peggy Minton
Administrative Specialist